Calendar No. 1512

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1489

ALICE ELIZABETH MARJORIBANKS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 885]

The Committee on the Judiciary, to which was referred the bill (S. 885) for the relief of Alice Elizabeth Marjoribanks, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable a former citizen of the United States to regain her citizenship which was lost under the provisions of section 349 (a) (2) of the Immigration and Nationality Act.

STATEMENT OF FACTS

The beneficiary of the bill is a 44-year-old British citizen, who was an American citizen at birth, born in China of American parents who were missionaries. In November 1953, she married a British citizen in the United States and accompanied him to Brazil on an American passport. It is stated that, on the basis of alleged representations made by the British consular officer that her United States citizenship would not be affected by taking an oath of allegiance to the British Crown, she took such an oath to obtain a British passport. The beneficiary believed at that time that she would acquire dual nationality and would not forfeit her United States citizenship. Meanwhile, her husband contracted polio and they returned to the United States to obtain treatments for him. He died on January 3, 1955.

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A letter, with attached memorandum, dated April 28, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 28, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 885) for the relief of Alice Elizabeth Marjoribanks, there is attached a narrative memorandum report concerning the beneficiary. This report has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would provide for the naturalization of the beneficiary within 1 year from the effective date of passage of this legislation and restore to her the same citizenship status as that which existed immediately prior to its loss.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ALICE ELIZABETH MARJORIBANKS BENEFICIARY OF S. 885

The beneficiary, Alice Elizabeth Marjoribanks, nee Morris, is a citizen of Great Britain who was formerly a citizen of the United States. She was born July 3, 1911 in Kuling, China, the daughter of native-born citizens of the United States. Her United States citizenship continued in full force and effect until May 10, 1954. At that time she voluntarily applied for British citizenship to the vice consul of Great Britain in Sao Paulo, Brazil, under the terms of the British Nationality Act of 1948. She thereby lost the citizenship of this country.

The beneficiary is widowed. Her only marriage was on November 28, 1953 to George Marjoribanks, a citizen of Great Britain. Her husband died in January 1955 in the United States. No children were born of that marriage. The beneficiary lived in China with her parents until 12 years of age. She has since resided in New York City, with the exception of temporary visits abroad. Her home address is with her parents at 515 Park Avenue, New York City, N. Y. She has no relatives other than her parents. The beneficiary has never been employed but is an active field worker for Moral Re-Armament.

The beneficiary testified that she last entered the United States on September 29, 1954 in the identity of a native-born United States citizen returning from a temporary absence abroad. Deportation proceedings have been commenced against her on the ground that at the time of her last entry into the United States she was an immigrant alien who was not in possession of a proper document. A date for her hearing has not yet been set.

A letter received by the chairman of the Senate Committee on the Judiciary on March 1, 1955, from the Assistant Secretary of the Department of State reads as follows:

DEPARTMENT OF STATE,
Washington.

Re S. 885, for the relief of Alice Elizabeth Marjoribanks

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate.

DEAR SENATOR KILGORE: Further reference is made to your letter of February 15, 1955, and the Department's reply of February 17, 1955, in the above-entitled bill.

The files of the Passport Office disclose that Alice Elizabeth Marjoribanks was born on July 3, 1911, at Kuling, China, of native-born citizen parents. On November 28, 1953, she was married to George Marjoribanks, who is not a United States citizen.

The most recent record of any official action in her case is a record of her registration as an American citizen on May 4, 1954, by the American consul at São Paulo, Brazil. The Department has received no information from any official source that Mrs. Marjoribanks has lost United States citizenship as set out in S. 885.

Sincerely yours,

THRUSTON B. MORTON,
Assistant Secretary
(For the Acting Secretary of State).

Senator H. Alexander Smith, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES DEPARTMENT OF JUSTICE,
BOARD OF IMMIGRATION APPEALS,
Washington, August 15, 1955.

In re Alice Elizabeth Marjoribanks

Hon. H. ALEXANDER SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In connection with your interest in the case of Mrs. Alice Elizabeth Marjoribanks, I am enclosing a copy of our order of August 12, 1955, holding that she became expatriated and is subject to deportation.

When Mrs. Marjoribanks appeared before us, she expressed her desire to effect a legal entry into the United States as soon as possible. In order to assist her in the matter, we have authorized preexamination. However, we have found it necessary to condition this authorization on a showing that she will be able to obtain the prompt issuance of an immigrant visa, a matter which is within the province of the Department of State through its consular officers abroad.

The possible difficulty which Mrs. Marjoribanks may experience in obtaining an immigrant visa from an American consular officer arises out of the quota restrictions. She is not a nonquota immigrant under section 101 (a) (27) (D) of the Immigration and Nationality Act (66 Stat. 169) because that is restricted to United States citizen women who became expatriated by marriage to aliens prior to September 22, 1922, or by marriage prior to March 3, 1931, to aliens ineligible to citizenship. Mrs. Marjoribanks' marriage occurred in 1954.

Had Mrs. Marjoribanks been born in the United States, she could be charged to the British quota under section 202 (a) (3) of the Immigration and Nationality Act and there would actually be no problem since that quota is not oversubscribed. On the other hand, if the Department of State holds that she must be charged to the Chinese quota because she was born there, then she will apparently not be able to obtain a visa in the near future since that quota is heavily over-subscribed. Although Mrs. Marjoribanks' parents are citizens and could file a petition for issuance of an immigrant visa to her, this would apparently also be of little help because what is known as the fourth preference (under Section 203 (a) (4) of the Immigration and Nationality Act) is oversubscribed insofar as the Chinese (white) quota is concerned

Mrs. Marjoribanks stated that her parents were both born in the United States but apparently they lived in China for some time. Section 202 (a) (4) of the Immigration and Nationality Act provides that an alien born within any quota area in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth, may be charged to the quota area of either parent. Hence, if Mrs. Marjoribanks' parents did not have a residence in China and if they had been aliens (rather than citizens) at the time of her birth, she could have been charged to the quota of the country in which either of them was born. While this provision may bear some analogy to the situation in Mrs. Marjoribanks' case, there appears to be no direct statutory provision applicable to a person who was a citizen at birth but who was not born in the United States, other than the general provision in section 202 (a) of the Immigration and Nationality Act which specifies that the quota to which an immigrant is chargeable shall be determined by the quota area in which the person was born.

As before stated, this problem in connection with the issuance of an immigration visa is within the jurisdiction of the Department of State.

Sincerely yours,

THOS. FINUCANE, *Chairman.*

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MEMORANDUM FOR SENATOR H. ALEXANDER SMITH

JANUARY 31, 1955.

Subject: American Citizenship of Mrs. Alice Elizabeth Marjoribanks.

Mrs. Alice Elizabeth Marjoribanks (formerly Alice Elizabeth Morris), of 515 Park Avenue, New York, N. Y., left the United States for Brazil on December 17, 1953 with American passport No. 154047 (New York series) issued in Washington December 1, 1953 and valid until December 2, 1955, renewable at that time for a period not to exceed 4 years. The passport was issued in the name of Alice Elizabeth Morris and changed to read in her married name on December 2 by James J. Hughes, passport agent. On November 28, 1953 Miss Morris was married to George Marjoribanks, a British subject.

Mrs. Marjoribanks arrived in Brazil on January 2, 1954 and returned to the United States on September 29, 1954, re-entering on her American passport en route to Warm Springs, Ga., with her husband who had contracted polio in Brazil and who died of this illness on January 3, 1955.

While in Brazil Mr. and Mrs. Marjoribanks contemplated taking a visit to Europe in the summer of 1954 during which time they expected to visit his home in the United Kingdom. Among their friends in Sao Paulo were a British official and his American wife who had served in the State Department in South America. The wife held both an American and British passports and retained dual nationality. She recommended that Mrs. Marjoribanks apply for a British passport under the same procedure saying that it was both a facility and convenience as the wife of a British subject and stating that it had not affected her American citizenship.

In accordance with this suggestion and the wishes of her husband, and in the belief that as the wife of a British subject she had acquired a dual nationality, Mrs. Marjoribanks applied for a British passport through the British consul in Sao Paulo on May 10, 1954. She asked specificially both the British Consul general in Sao Paulo and the vice consul, Charles R. Waddell, "Does this application in any way affect my American passport?" Both men replied in the negative. When she filled out the application she stated in it, "I am an alien and subject, that is to say, a citizen of the United States of America." She applied for registration as a citizen of Britain under the British Nationality Act of 1948. At the time of signing the application she was surprised to be asked by the vice consul, Mr. Waddell, to take an oath of allegiance to the Queen. Again she inquired whether this would in any way affect her American citizenship and was told "No". On the basis of that information and in the belief that she was in no way relinquishing her American citizenship, Mrs. Marjoribanks took the oath and signed the application.

She was issued British passport C492113 in the name of Mrs. A. E. Marjoribanks on September 20, 1954, by Her Britanic Majesty's Consul General at Sao Paulo. This passport was never used.

On going through her husband's papers with legal counsel after her husband's death in January 1955 Mrs. Marjoribanks was shocked and surprised to learn that she had apparently relinquished and invalidated her American citizenship by taking the oath of allegiance to the Queen in Brazil. This was entirely contrary to her intentions and purpose and she wishes at this time to take any steps that may be necessary to revalidate her status as an American citizen.

Mrs. Marjoribanks was born on July 3, 1911, in Kuling, China, the daughter of American citizens, Dr. DuBois S. Morris of 515 Park Avenue, New York City, and his wife, the former Alice Ray Buell of Rochester, N. Y. She came to this country for visits at the ages of 3 and 7 and returned to America at the age of 13, since which time she has been permanently resident in the United States and has not returned to China. She was issued an American passport in 1931 which was renewed and has been reissued periodically since that time.

Under the advice of Mr. Richard Arens, staff director of the Senate Immigration Committee, it is suggested and requested that a private bill be enacted re-establishing Mrs. Marjoribanks' American citizenship.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 885) should be enacted.

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Calendar No. 1513

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1490

ERIC A. CUMMINGS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1111]

The Committee on the Judiciary, to which was referred the bill (S. 1111) for the relief of Eric A. Cummings, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has entered the United States by fraud in behalf of the husband of a citizen of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 39-year-old native of Panama and a British subject who last entered the United States at West Palm Beach, Fla., in September 1946, as an agricultural laborer under a false name. He bought a workers' permit from a man who had received it from the Jamaican authorities, and in order to enter the United States the beneficiary assumed the name which appeared on the permit. He left the job 1 month before the expiration date. He married a United States citizen in 1954 whom he had met in May 1952 and they have a 2-year-old daughter. The beneficiary is presently in Jamaica and his wife and child are residing in Bridgeport, Conn. It is stated that his United States citizen wife and child are enduring a great hardship by the separation, particularly in view of the fact that the beneficiary has very little opportunity for employment in Jamaica. Without the

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waiver provided for in the bill, he will be unable to enter the United States to take care of his family.

A letter, with attached memorandum, dated December 28, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 28, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1111) for the relief of Eric A. Cummings, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Hartford, Conn., office of this Service which has custody of those files.

The bill would waive the provisions of the Immigration and Nationality Act which exclude from admission into the United States aliens who seek to procure, or have procured a visa or other documentation, or seek to enter the United States, by fraud, or by willfully misrepresenting a material fact, and would authorize the alien's admission to the United States for permanent residence if he is found to be otherwise admissible under such act. It would further provide that this exemption shall apply only to a ground for exclusion of which the Department of State or Department of Justice had knowledge prior to enactment.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ERIC A. CUMMINGS, BENEFICIARY OF S. 1111

Information concerning this case was obtained from Mrs. Joyce Cummings, the beneficiary's wife.

Eric A. Cummings, whose full name is Eric Adolph Cummings, and who has also been known as Arthur Nicholson, a native of Panama and a British subject, was born on April 30, 1916, at Balboa, C. Z. He is unemployed and resides at 50 Rosemary Lane, Kingston, Jamaica, British West Indies, with his mother. He married Joyce Cummings, nee Hailey, at Baltimore, Md., on March 18, 1954. Their only child, Barbara Denise, was born at Bridgeport Conn., on December 22, 1953. His wife and child live at 141 Valley View Avenue, Bridgeport, Conn. The extent of his education is unknown. Mr. Cummings has no assets and is supported by his mother. He has a sister living abroad. Other than his wife and child he has no near relatives in the United States.

The beneficiary last entered the United States at West Palm Beach, Fla., in September 1946 at which time he was using the name of Arthur Nicholson and was admitted as an agricultural laborer to December 1946. He used the name of Arthur Nicholson because he had purchased from Arthur Nicholson for 30 pounds his permit, issued by the officials of Jamaica, allowing Nicholson to leave Jamaica to work in the United States. He had previously entered the United States in April 1944 under his true name to perform agricultural labor and returned to Jamaica in September 1945. Deportation proceedings were instituted on February 4, 1954, on the ground that after admission as a nonimmigrant visitor for business, he failed to comply with the conditions of such status. In a hearing on February 26, 1954, an additional charge was lodged, that after admission as an agricultural worker, he failed to comply with the conditions of such status. The special inquiry officer found him deportable on the lodged charge and entered an order that he be granted voluntary departure and in the event that he failed to depart that he be deported. His departure from the United States at Miami, Fla., on May 9, 1954, has been verified.

It is alleged that the beneficiary was refused an immigrant visa by the American consul at Kingston, Jamaica, because he had willfully misrepresented a material fact by using a name not his own to effect his last entry into the United States.

A petition by his wife to accord him nonquota status was approved on August 27, 1955.

Joyce Cummings, a native citizen of the United States, was born in Bridgeport, Conn. on May 8, 1926. Her former husband was killed in an automobile accident in 1952. She is employed as a nurses' aid in Newton, Conn., and receives $61

a week. Her assets consist of an automobile valued at $200 and personal effects valued at $500. Mrs. Cummings first met the beneficiary in Bridgeport, Conn., in May 1952.

Mrs. Joyce Cummings is the person primarily interested in the bill.

A letter dated July 14, 1954, to Senator William A. Purtell from the Director, Visa Office, United States Department of State, reads as follows:

DEPARTMENT OF STATE,
Washington, July 14, 1954.

Hon. WILLIAM A. PURTELL,
United States Senate.

DEAR SENATOR PURTELL: I refer to my letter of June 9, 1954, concerning your interest in the desire of Mrs. Joyce Cummings, 57 Smith Street, Bridgeport, Conn., to have her husband, Mr. Eric A. Cummings, granted permission to return to the United States from the British West Indies.

The Department is now in receipt of a communication dated June 21, 1954, from the American consulate general at Kingston in which it is reported that Mr. Cummings filed an application for registration as an intending immigrant on June 11, 1954. His application indicates that he was born in Panama and it appears, therefore, that he is entitled to nonquota status under the provisions of section 101 (a) (C) of the Immigration and Nationality Act.

The consulate general reports further that due to staff limitations and the large volume of nonquota cases pending there it has become necessary to establish an administrative nonquota waiting list on which the names of nonquota applicants and their priority date are registered. As soon as it becomes administratively possible, Mr. Cummings will be invited to call at the consulate general for a preliminary examination of his case.

I may explain in connection with the foregoing that the administrative waiting list procedure is in accordance with the provisions of section 42.20 (a) of title 22, Code of Federal Regulations, which provides for the maintenance of such administrative waiting lists whenever it becomes administratively impracticable at any consular office to give consideration to, and take final action upon, the case of an applicant for a quota or a nonquota immigrant visa without a waiting period. There is no provision of law whereby the issuance of a visa to an intending immigrant may be expedited because of existing harship factors or extenuating circumstances in his case.

While it is, unfortunately, not possible to predict with any degree of accuracy when Mr. Cummings' turn will be reached for the consideration of his case, you are assured that every effort is being made by the consulate general at Kingston to process nonquota cases pending there as expeditiously as possible.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office.

Senator William A. Purtell, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES SENATE,
June 8, 1955.

Senator HARLEY M. KILGORE,
Chairman, Judiciary Committee, Senate Office Building,
Washington, D. C.

DEAR SENATOR KILGORE: Reference is made to my letter of May 17, 1955, and earlier correspondence with respect to the case of Eric A. Cummings, for whom I introduced bill (S. 1111) on February 18, 1955.

Briefly, this is the case of the man who had resided in Kingston, Jamaica, British West Indies, and on whom his widowed mother had been dependent for support. Work was apparently most difficult to obtain there in those early years, and in 1944, and again in 1945, he came to the United States under the sponsorhsip of the American recruiting program for labor to work on the farms and in production plants. At the expiration of his contract in each of those years Mr. Cummings returned to his home.

In 1946, I am told, it became even more difficult to obtain work on the island and the number of recruits for the United States program was reduced. Cummings is said to have been almost desperate because of his inability to discharge his domestic obligations and not being within reach for the issuance of a processing

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card accepted one issued to another Jamaican, who subsequently was unable to pass the necessary medical examination, and proceeded to the United States in 1946 on the card issued in the name of Arthur Nicholson.

He is said to have soon abandoned that alias and continued in employment in the United States as an agricultural worker until November 1946. He was taken into custody by the Immigration and Naturalization Service on February 4, 1954, and was accorded the privilege of departing voluntarily from the United States at his own expense in lieu of deportation. He did depart for Kingston by Pan American Airways on May 9, 1954. He was unmarried at the time of his deportation hearing in February of that year, but prior to his departure for Jamaica, married a United States citizen by whom he has had a child.

As I stated in one of my earlier communications, I cannot condone Mr. Cummings in violating the terms of his labor contract; but I think we can all appreciate the great temptation which was his when offered the card which would permit him again to enter the United States after having been here on two previous occasions, and presumably having acquired the natural desire to return and remain here.

The fact does remain, however, that he does have a definite responsibility in providing for his American-born wife and child. It must also be borne in mind that Mr. Cummings did elect when granted a hearing by the Immigration and Naturalization Service to exercise the privilege of departing voluntarily from the United States at his own expense. In exercising this prerogative it may well be assumed that he did so with the understanding that if he were deported at the Government's expense he might not be permitted to return to this country. It may likewise be assumed, however, that he was not aware of the great difficulty that would be his in obtaining permission to rejoin his wife and child because of the fact that he was considered ineligible to receive an immigrant visa under section 212 (a) (19), because of his having last entered the country under the processing card issued to another.

I do not know either Mr. Cummings of his wife personally; nor am I personally acquainted with the circumstances in which Mrs. Cummings now finds herself; but as she relates them to me in the attached letter which I received today, my sympathetic interest has been aroused; and I urged that you look with favor upon the plight of this family and favorably act upon the bill which I introduced for Mr. Cummings' relief.

Sincerely yours,

WILLIAM A. PURTELL,
United States Senator.

BRIDGEPORT, CONN., *May 20, 1955.*

Senator W. A. PURTELL,
Senate Office Building,
Washington, D. C.

DEAR SIR: This is to inform you that as yet my husband's (Eric Cummings) situation with the consulate has not changed. However, my situation here has become desperate.

I have had to give up my apartment, which I was unable to maintain alone, and move in with my father. A week or so after I moved in, my father's home was almost completely destroyed by fire. Consequently, all of the clothing, furniture, etc., for my baby and myself have been lost. You can see that my situation is becoming progressively worse without the help and support of my husband.

I am trying to remain independent and support myself and my child but, as you surely must realize, if I suffer any more reverses I shall have to seek public aid for myself and my child, and remain dependent until my husband is returned to us to assume the responsibilities of our support, which he so desperately wants to do.

I cannot express to you the feelings of futility and hopelessness that are overtaking me due to this cruel and unnecessary situation. The knowledge that my child and I are suffering from want and privation because of the whims of one unfeeling man has caused me more grief and despair than I feel is fair or just under the circumstances.

Please continue to plead my case and restore a husband and father to his family. I am aware you can only press for passage of the bill, but in the meantime, I feel dutybound to tell you of my situation from time to time. You may pass this letter on to the judiciary if you think it will help matters.

Respectfully yours,

MRS. JOYCE CUMMINGS.

APRIL 8, 1955.

Mr. WILLIAM A. PURTELL,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR SENATOR PURTELL: At this time I am writing to you as a spent and broken wife whose husband is being deprived the right to share the joys of marital ties, and to hold sacred the vows we made in the name of God The words "whomsoever God may join together, let no man put assunder" are forever in my mind; yet in a recent letter from my husband he has related to me the attitude of the consul on their meeting of the 23d of March.

At this meeting the honorable gentleman told my husband that a visa will not be issued him, and further, as long as he remains the United States consul in Jamaica, he will never give to him a visa to enter the United States; and that my husband should just forget the whole thing. My husband asked the question of the consul, "What, then, will become of my wife and child?" to which the reply was "Your wife and child will have to reside with you in Jamaica." The letter further states that the vice consul in the office advised him to have his wife write to Washington immediately and see what could be done as he will not get anywhere with Mr. Olive, the gentleman handling his case.

There are certain papers, i. e., bank statements, employers statements, that were supplied by his brother and sister-in-law in Chicago, and also myself. These the consul has not returned although he has returned some others; he disclaimed ever receiving them though they were all mailed to him in the same envelope.

Senator, I want to be frank with you. Certainly the honorable gentleman had no right to even harbor the thought that I would have given up my citizenship, least of all, to have expressed it to my husband. The act of my husband entering the country under a name other than his own isn't the first of its kind, as it can be proven that many such cases have been granted visas for permanent residence here. It is very clear the consul is victimizing my husband simply because a Senator is interested in his case.

My husband has asked me to write to the President outlining his case. Since you have already introduced a bill, I would welcome your opinion on the matter.

I'm sure you understand the urgency of this matter. My husband left the States when our daughter was 4 months old. She is now 13 months old, and the burden of caring for her and working to support both of us is causing me a great deal of mental and physical hardship. Please act on this matter as soon as possible. I am anxious to know the outcome of the bill you introduced in the House recently.

Very truly yours,

Mrs. JOYCE PERRY CUMMINGS.

CHICAGO, ILL., *March 30, 1955.*

Hon. WILLIAM A. PURTELL,
United States Senator, Senate Office Building,
Washington, D. C.

DEAR SENATOR PURTELL: I am taking this opportunity to write to you in behalf of my brother, Eric Cummings. Having heard from his wife of your sympathetic attitude concerning his confinement in the British island of Jamaica, and of your willingness to help, I am sure I will not be considered as taking too much for granted.

So as to give you a proper perspective of the circumstance that led up to the offense he committed, I would like to refer back to September 1946. Eric and I had the responsibility of supporting our mother (now 80 years old). Consequently we had to find gainful employment at all times. Prior to 1946 we had worked in this country as contracted farms workers, and each time Eric entered he used his own name; moreover, he always returned home at the end of his contract without anyone having to look for him.

In September 1946 things certainly were not rosy for our family; we were faced with a tremendous medical bill incurred due to mother's repeated illnesses, and as if that wasn't bad enough, we were haunted by the thought of being put out of doors for not being able to pay the monthly rental on our home. The call was made by American factories, farms, and industries for contract workers. Men were appointed by the Jamaica Labour Department to distribute call cards to deserving cases. Unfortunately these men were very unscrupulous, and resorted to the cheap scheme of selling these cards to as many buyers as they could find; those persons who obtained a card without having to pay for it were considered

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lucky. Eric couldn't make such a purchase so he was forced to abandon the idea of going to work in America.

Arthur Nicholson, a friend of his, had obtained one of these cards, but on being told of the rigid test he would have to undergo physically decided to forego the trip since at the time he was not in the best condition. This card was given to Eric, who took the medical test and passed it. It was the case of a drowning man catcheth at a straw. Little did he realize that some day this innocent act would be a hindrance to him.

On his arrival in this country he went to work as he was contracted to do, later dropping the assumed name. Things did not turn out as was expected, so he left his employers, met and married his wife, and a child was born to them in December 1953.

It is now nearly 1 year that he has accepted voluntary departure with the hope of rejoining his wife and child, but alas, this act must ever haunt him.

My wife and I made out affidavits of support for him to present to the consul in Kingston. These, I have been told, become invalid after 1 year. At the moment we are not in a position to make like affidavits in view of the birth of our daughter, which have left our account at the bank almost depleted. I have been doing my best to help out at his home in his absence, and at the same time supporting my mother and sending money to him every so often.

Recently the consul told him he should give up on the idea of returning to the States, and if ever he wants to see his wife and child again they would have to come to Jamaica, for as long as he remains a United States consul, a visa would not be issued. I am sure, and have proof to the fact that today in this country there are hundreds of men living with their families, who at one time or the other had committed a like offense in their desire to find work. I can only say that Eric is being deprived the right to live with his family because the consul feels the matter should not have been brought to your attention, although it wasn't said in as many words.

In February of this year I had the occasion to visit mother, who was very ill. I saw Eric. To look at him was both disgusting and pitiful. In speaking on the phone with Mr. Olive, who is handling this case, I was informed that I had no right regardless of family connections to intervene, and speaking to him doesn't help the case any at all.

This final decision has had a vicious impact on the wife and mother of this man. His mother broke down, and had to seek medical attention. Although I am not familiar with the procedure of the Senate, and my present financial position is not of the best, along with his wife I would be glad to appear in Washington to present his case in its entirety, if that must be our last resort. If for any reason you wish to present this letter to a committee, Senate, or Members of the House you have my consent to do so.

Eric wanted me to write to the President, but I'd rather have your opinion on this phase of it. Please let me hear from you as early as is convenient.

Thanking you, and may God bless you.

Sincerely yours,

NOEL HERMAN CUMMINGS.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1111) should be enacted.

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Calendar No. 1514

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1491

JOSE ARRIAGA-MARIN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1347]

The Committee on the Judiciary, to which was referred the bill (S. 1347) for the relief of Jose Arriaga-Marin, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jose Arriaga-Marin. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill, inasmuch as the beneficiary is entitled to nonquota status.

STATEMENT OF FACTS

The beneficiary of the bill is a 26-year-old native and citizen of Mexico who last entered the United States on May 23, 1948, at Laredo, Tex., on foot when he was admitted as a visitor. He married a United States citizen and he presently resides with his spouse and four citizen children in New York City where he is employed by the Finesse Wrislet Co. He refrained from furnishing notification of his address because he feared deportation, but finally gave himself up. Six years ago he pleaded guilty to a petty larceny charge. At the time, his wife had given birth to twins and was due home from the hospital and he didn't have bedding or diapers, so he stole three sheets. The sentence was suspended. It is stated that he now holds a responsible position and that his employer highly endorses him.

90006°—57 S. Rept., 84-2, vol. 6——25

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A letter, with attached memorandum, dated June 2, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 2, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 1347) for the relief of Jose Arriaga-Marin, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee.

As a native of Mexico and as the spouse of a United States citizen, the beneficiary is entitled to nonquota status in the issuance of an immigrant visa if otherwise qualified.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOSE ARRIAGA-MARIN, BENEFICIARY OF S. 1347

Jose Arriaga-Marin, a citizen of Mexico, was born on October 17, 1929, at Mexico City, Mexico. He resides with his United States citizen spouse and four children at 332 East 115th Street, New York, N. Y. He is employed as a foreman by the Finesse Wristlet Co., 36 East 20th Street, New York, N. Y., and earns $73 a week. His only assets consist of personal effects valued at $1,000. In addition to elementary and secondary schooling in Mexico he attended Polytechnic Institute in Mexico City for 1 year. His parents reside in Mexico.

The beneficiary pleaded guilty to a petty larceny charge in city magistrate's court, New York, N. Y., on August 24, 1949. Sentence was suspended and the beneficiary was placed on probation which terminated on October 24, 1950. He also failed to report for induction under the Selective Service Act on January 14, 1952, for which violation prosecution was subsequently declined.

The beneficiary last entered the United States on May 23, 1948, at Laredo, Tex., on foot and was admitted as a visitor for pleasure for a period of 29 days. Deportation proceedings were instituted on October 15, 1953, on the charges that, after admission as a visitor, he had failed to comply with the conditions of such status, and that he had failed to furnish notification of his address in compliance with section 265 of the Immigration and Nationality Act. He was found deportable on the warrant charges and deportation was ordered. On October 22, 1954, the Board of Immigration Appeals sustained the finding of the special inquiry officer and denied the beneficiary's application for voluntary departure.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

STATEMENT IN SUPPORT OF APPLICATION FOR RELIEF THROUGH PRIVATE IMMIGRATION BILL

1. Beneficiary's present address, activities, mode of support

Name of alien: Jose Arriaga-Marin.

Present address: 139 Brabant Street, Apartment 1 C, Staten Island 3, N. Y.

His present activities consist merely of working for the support of his family—1 American (Puerto Rican) wife and 4 children, named Joseph and Edward, born June 24, 1949; Xochilt (girl) born June 6, 1950; and Richard, born December 29, 1951. He is employed as a foreman with the Finesse Wristlet Inc., 36 East 20th Street. (Letter attached. Although the letter is dated June 29, the situation has not changed since.) He is a member in good standing of the Watch and

Jewelry Workers Union, Local 147 (letter attached.) In his employment, he has worked his way up from ordinary laborer to foreman of a crew of 15 men. He earns approximately $65 a week and is the sole support of his family.

2. Circumstances surrounding entry into the United States

He entered the United States on May 21, 1948, as a visitor for 29 days, on foot, at Laredo, Tex. From then on, he remained in the United States. He never applied for nor received an extension of his temporary visa under which he was admitted. Since he was aware of his precarious situation, he did not furnish notification of address as required by law in January 1951, 1952, or 1953.

3. Present immigration status

File No. 0300–454826–New York. Deportation proceedings, appeal from denial of application for voluntary departure dismissed. The warrant of arrest for deportation charged violation of his visitor's status, failure to furnish notification of address. Because the law is completely clear in this case, it is not believed that an appeal to the courts would be helpful.

During 1953, as his responsibilities, and his awareness of his responsibilities, increased, he decided to take steps to legalize his status, and voluntarily submitted himself to the immigration authorities on October 27, 1953.

On October 28, 1953, a warrant of arrest for his deportation was issued pursuant to section 241 (a) (1), Immigration and Nationality Act, because he failed to comply with the conditions of his visitor's status, and pursuant to section 241 (a) (5), Immigration and Nationality Act, because he willfully failed to furnish notification of address. He admitted that he had failed to notify the Service because he was afraid of being apprehended—the subsequent developments showed that his fears were well founded—and he did not know how to provide for his family in such case.

The charge under section 241 (a) (5) was upheld in spite of his voluntary surrender. The alien's application for voluntary departure was denied for the same reason that he could not apply for suspension of deportation. He does not meet the "physical presence" requirements for the latter, having resided in the United States only for the period of 6½ years. Section 244 (e), Immigration and Nationality Act prevents the granting of voluntary departure to an alien who has been found deportable pursuant to section 241 (a) (5) unless he meets the test of eligibility for suspension of deportation.

Even voluntary departure, if granted, would have been a hardship because it would have taken the alien away from his family. In that case nevertheless there would have been some certainty of his return to this family, which is lacking under the present conditions.

The alien is presently on parole. His deportation proceedings before the Board of Immigration Appeals were concluded on October 22, 1954, with a denial of his appeal.

4. Specific reasons for desiring permanent residence status

The reason for Mr. Arriaga-Marin's desire to remain in the United States permanently consists of his large American family and his pride in the new existence which has has created in the United States for them. He believes that he would be totally unable to support his family in Mexico.

5. Police record

Mr. Arriaga-Marin was convicted of petit larceny on June 29, 1949 in the court of special sessions and received a suspended sentence.

Although under Public Law 770 of the 83d Congress, 2d session, this offense would be classified as a petty offense and would not make him excludable, the following extenuating circumstances should be noted:

The object of the larceny was two sheets, taken from the laundry in which Mr. Arriaga-Marin was employed. The date of the larceny was the birthdate of his twins. The reason for the larceny was that, having expended all his funds—at the time he earned $25 a week and supported his wife—on a crib for the expected baby, he was surprised with the birth of twins and was totally unprepared. He stole the sheets to use them in the crib of the twins, but was discovered because, on that day, a search was made of all employees because of a theft which had been committed in the laundry by another individual who was apprehended at the same time. This other man had been regularly stealing sheets, but Mr. Arriaga-Marin never had stolen before and has never stolen since.

It is believed that, with proper representation, the entire matter would have been quashed, but the attorney who represented the other man, and who of course

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had no knowledge of Arriaga-Marin's alien status in the United States, advised him to plead guilty, thereby "saving himself a lot of trouble" and being able to go to the hospital at once to see his twins. This he did.

The very fact that he is now foreman in a jewelry factory, and that his employer is aware of his past, speaks for the fact that this one slip does not make him a criminal in any sense of the word.

6. Other activities

Not only has Mr. Arriaga-Marin not engaged in any activities which might be interpreted or alleged to be injurious to the American public, but it is believed that he has a very genuine and strong feeling for this country, which expresses itself in a very pleasing personality, and in spite of many reverses he maintains a completely friendly attitude.

In this connection, I should like to give a little more of the human background of the case. Mr. Arriaga-Marin is a young man with a very pleasing personality. When he comes to the office, he is always well dressed and, more important, spotlessly clean. He speaks of his family with great pride.

When I commented on the fact that his boys all have English names and his little girl has such a exotic name, he smiled and stated: "That's because she's the girl." He has a great admiration for women and speaks with great pride of his wife.

Because I felt his case was hopeless under the law and because I thought his appearance and demeanor so appealing, I sent him to Washington to argue his own case before the Board of Immigration Appeals—his English is excellent. On the day that he was scheduled to leave for Washington, his little girl was raped by a young boy who lives in the same housing development. Arriaga-Marin, who was naturally extremely upset about this incident, carried himself with the greatest poise. Although the child was hospitalized, he was willing to go to Washington to argue his case if necessary. I secured a postponement.

In his attitude toward the family of the boy in question, he showed a magnanimity of forgiveness which I found most impressive in a man with his limited education.

Thus, by his appearance and by his reaction to the many distressing situations which he has encountered during the past few years, I have formed the judgment that he is a person of unusual character.

7. Letters of personal endorsement

There are attached letters of personal endorsement which are submitted by his employer and by his union representative. It may be added that both of these men will gladly give additional information, and, if necessary, additional references by friends and work associates can also be submitted.

The foregoing material was compiled by me and is correct to the best of my knowledge.

EDITH LOWENSTEIN,
Common Council for American Unity,
New York, N. Y.

Dated: November 3, 1954.

FINESSE WRISTLET INC.,
New York, N. Y., June 29, 1954.

Hon. HERBERT H. LEHMAN,
Washington, D. C.

DEAR SIR: In behalf of Jose Arriaga Marin, we are addressing this letter to you at the suggestion of Miss Edith Lowenstein, of the Common Council for American Unity.

Mr. Marin has been in our employ from September 1951 to August 1952. He was reemployed on October 1953.

We have always had high regard for his ability. He learned his trade as a die setter and supervisor while with us. When his supervisor had to be replaced, the opportunity was given to him.

We have found Mr. Marin to be cognizant of the responsibility due his employer. We have always found him to be reliable, cooperative and willing. His subordinates respect him for his ability and fairness.

We feel that Mr. Marin as a husband, father, and faithful employee should be given every favorable consideration in his appeal.

Very truly yours,

FINESSE WRISTLET INC.,
HENRY LEON

WATCH AND JEWELRY WORKERS UNION, LOCAL 147,
July 1, 1954.

Hon. HERBERT H. LEHMAN,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Please be advised that Jose Arrigat Marin (sic) has been a member of our union while employed in the union shops: Drema Manufacturing Corp., Duchess Manufacturing Corp., and Finesse Wristlet Co. At the latter shop he was employed as a diesetter, and eventually because of his proven capabilities he was made a supervisor, which position he still holds in the shop.

To the best of our knowledge and particularly of the undersigned, Jose A. Marin is a person of good and sound moral character and responsibility.

We heartily recommend all the help you may find it possible to give him, Senator, to become a citizen of our country because we honestly and sincerely believe he will be a good and loyal one.

Respectfully yours,

CAESAR A. MASSA, *Business Representative.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1347) should be enacted.

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Calendar No. 1515

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1492

SEROJINI DONGRE HARRIS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1525]

The Committee on the Judiciary, to which was referred the bill (S. 1525) for the relief of Serojini Dongre Harris, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Serojini Dongre Harris. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 33-year-old native and citizen of India who last entered the United States on September 27, 1948, when she was admitted as a student. She was found abandoned by a missionary in 1922 and was subsequently adopted by a native-born United States citizen in 1948. Her adoptive mother, who served as a missionary in India for 38 years, accompanied her to the United States. The beneficiary is presently employed as a social worker at Memorial Hospital in New York City and is also on the staff of the Lenox Hill Neighborhood House in New York.

A letter, with attached memorandum, dated June 3, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 3, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1525) for the relief of Serojini Dongre Harris, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of India.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE SEROJINI DONGRE HARRIS, BENEFICIARY OF S. 1525

The beneficiary, Serojini Dongre Harris, is a native and citizen of India, who was born on or about September 7,1922. She is single and resides at 331 East 70th Street, New York, N. Y. Miss Harris is presently employed as a social worker at Memorial Hospital in New York City at a salary of $4,050 per annum. She is also on the staff of the Lenox Hill Neighborhood House in New York City where she works approximately 7 hours per week on a voluntary basis. The beneficiary graduated from North Wadia College in India in 1947 with a bachelor of arts degree. In 1948 she received a bachelor of teaching degree from Tilak College in India. She did graduate work at the University of Utah in Salt Lake City, Utah, and received a master of social work degree in 1951. From June 1947 to March 1948 she was employed as a high school teacher in India. Her assets consist of $2,000 in a savings account and personal property valued at approximately $1,000.

The beneficiary's parents are unknown. She was found abandoned in September 1922 by a missionary serving with the Congregational Church in India. She was reared at the mission by one Gertrude Harris, a native-born United States citizen, who adopted her on August 13, 1948, in Bombay, India. Her adoptive mother returned to the United States together with the beneficiary in September 1948 after serving as a missionary in India for approximately 38 years.

The alien arrived in the United States on September 27, 1948 at New York, N. Y., as a student and was admitted for 1 year. She subsequently received extensions, the last of which expired on December 26, 1951. On May 16, 1955 she was served with a warrant of arrest in deportation proceedings issued on the ground that she failed to comply with the terms of her admission.

The beneficiary was previously the subject of H. R. 4557 introduced on June 21, 1951 in the 82d Congress, and H. R. 1623 introduced on January 13, 1953 in the 83d Congress.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES SENATE,
Washington, D. C., January 23, 1956.

Hon. HARLEY M. KILGORE,
Chairman, Senate Judiciary Committee,
Senate Office Building, Washington, D. C.

DEAR HARLEY: I would like to bring to your attention a private immigration bill which I have introduced for the relief of Miss Serojine Harris. This bill, S. 1525, is presently pending before the Immigration Subcommittee. I would like to point out a few facts of special significance, among the many worthy ones involved in this case.

Miss Serojine Dongre Harris is the adopted daughter of Miss Gertrude Harris, an American Presbyterian missionary, who, on her final return to this country in 1948, brought her adopted daughter with her. Both Miss Serojine and Miss Gertrude Harris are presently living at the Lenox Hill Neighborhood House, 330 East 70th Street, New York City.

Miss Serojine Harris was born in India. She is 26 years old and had completed all her undergraduate studies in India before coming to the United States 8 years ago. She has a bachelor of arts degree from the University of Bombay. Her postgraduate work in the social and medical field was done in this country. She has a master of arts degree from the University of Utah. She is presently a full-time medical worker at the Memorial Center for Cancer and Allied Diseases in New York City. Miss Harris' fine personal character, splendid educational background and high degree of competence in welfare work is fully attested to by the recognized authorities in the enclosed supporting material.

In view of these facts, I am hopeful that you will consider Miss Harris' bill deserving of early and favorable consideration. Only legislative relief will make it possible for this young woman to remain in this country near her foster mother, and to pursue her career in a field in which there is a critical shortage of trained personnel at the present time.

Very sincerely yours,

HERBERT H. LEHMAN,
United States Senate.

GUIDE SHEET FOR THOSE PERSONS SEEKING RELIEF THROUGH PRIVATE IMMIGRATION BILLS

1. Present address, activities, mode of support

Name: Serojini Dongre Harris, Indian born. 331 East 70th Street, Lenox Hill Neighborhood House, New York 21, N. Y.

Activities: Full time medical social worker at Memorial Center for Cancer and Allied Diseases, Social Service Department, 444 East 68th Street, New York 21, N. Y.

Mode of support: Salary earned as a social worker, $3,900 per year as of September 1954.

2. The circumstances surrounding entry into United States (place, date, documents, passport, visa, entry permit, number)

Left India on August 19, 1948, on steamship *Flying Clipper*, on an Indian passport, No. 160644, issued on May 27, 1948, and given 4 E student visa No. I–865857____69, issued on August 2, 1948, by American Vice Consulate of Bombay, India.

Landed at Staten Island on September 27, 1948. The number of the entry permit was T–106478.

3. Present immigration status (changes in status, since admittance, hearings, bonds, deportation proceedings, appeals, case number)

Requested permission from Immigration Department of Salt Lake City, Utah, to seek employment for practical purposes, the position of a social worker in Cleveland, Ohio, in May 1951. Permission was granted by the officer in charge, Mr. Gilbert F. Gower, on June 28, 1951, for a period ending December 28, 1951. Their file No. A6992645. The Honorable Mrs. Bosone, Congresswoman of Salt Lake City, Utah, introduced a private bill in the House of Representatives on June 21, 1951, on my behalf (82d Cong.) in order to enable me to remain in the United States of America on a permanent-residence basis (H. R. 4557). On March 31, 1952, Mrs. Bosone informed me that report was unfavorable; however, it would help if I were to prove that my deportation would result in serious economic detriment to my United States citizen adoptive mother.

In December 1951, requested Utah Immigration Department to extend permission to continue working at Mount Siani Hospital as a social worker. This was denied on December 10, 1951, on the grounds that, "due to developments of the last few months, it appears that you are no longer a bona fide student. However, no proceedings looking to your removal from United States are contemplated for time being."

Upon request, the Honorable Mrs. Frances P. Bolton, Congresswoman of Cleveland, Ohio was instrumental in introducing a bill in the house of Representatives, January 13, 1953, on my behalf. This bill, H. R. 1623, died a natural death at the end of the 83d Congress.

This is all that is known about the case. No communication has come from the Immigration Department. The alien forms have been filled out each year.

4. Specific reasons for desiring permanent residence status

I want to remain in the United States of America so that I can be of assistance to my 76 year-old adoptive mother, Miss Gertrude Harris, both physically and financially, and most of all in order to give her emotional warmth in her old age.

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I want to be with my mother in case of illness so that I can guarantee that she will receive the best of care. Our financial status will not permit me to go to India and return again at the time my mother may need me.

I am an Indian girl born in India and was brought up by Miss Gertrude Harris from early infancy. As a newborn baby I was left by the roadside and was found by strangers who brought me to the American Marathi Mission. I would not have known the joy and happiness that most people find from having parents and relatives. The only person ever to provide this for me is Miss Harris. My adoptive mother gave the same care she would have given her own child. Her home was my home and as of today we share one purse. My mother was able to adopt me legally on August 13, 1948.[1] Commitments to her mission had precluded her doing it before that time. Then I was no longer a minor.

My mother had been in India for 38 years as a missionary. She and I came to America at the time of her retirement, 1948. My mother has had bronchial trouble since 1941. Her retirement allowance is $100 a month, and in addition to that I have given her $75 a month since 1951.

Most children, following the sacrifices made to raise them and educational advantages given them, may look forward to repaying their parents for their care and kindness. I am now faced with the prospect of losing this opportunity. My mother made every effort to expose me to both Indian and western culture. She made it possible for me to obtain my bachelor of arts and bachelor of theology degrees from the University of Bombay (1947 and 1948) and my master of social welfare degree from the University of Utah in 1951.

I was employed by Mt. Sinai Hospital Social Service Department, Cleveland, Ohio, from July 1951 to July 1953. Since September 1953, I have been a member of the staff of the medical social service department of Memorial Center for Cancer and Allied Diseases, New York 21, N. Y. I work in the pediatric department with children who have malignant diseases, and with their parents.

My mother and I live in Lenox Hill Neighborhood House of which Miss Lillian D. Robbins is the executive director. My mother and I both do volunteer work there for 7 hours per week.

My remaining in this country will certainly bring unlimited happiness to my mother who has contributed so much of her lifetime to helping the less fortunate in India. Remaining here would enable me to give my mother the best of care physically and financially and emotionally. Hence for all these reasons I would like to remain in the United States of America on a permanent residence basis.

5. *Whether such person has been convicted of an offense under Federal or State law and if so, what offense. Extenuating circumstances, if any. None.*

6. *Whether such person has been engaged in any activities which might be interpreted or alleged to be injurious to the American public and any extenuating circumstances surrounding such incident. No.*

SEROJINA DONGRE HARRIS.

LENOX HILL NEIGHBORHOOD HOUSE,
New York City, N. Y., March 29, 1955.

Senator HERBERT LEHMAN,
New York City, N. Y.

DEAR SIR: I shall appreciate it greatly if you will do everything possible to endorse my adopted daughter's request for permission to remain in the United States as a permanent resident. Serojini was abandoned as an infant when I was a missionary worker of the American Board of Commissioners for Foreign Missions in India. I took full care of her, later adopting her. I gave her the kind of loving attention that I would have given to my own child and we shared one purse. She has always thought of me and treated me as her mother. When I retired from my post in India and returned to the United States in 1948, Serojini accompanied me. She graduated from the University of Bombay and, after coming to the United States, attended the University of Utah from which she received the masters degree of social work in 1951.

I am now getting on in years, having passed my 76th birthday. It would be a great consolation to know that, in the years remaining to me, I would be able to have my daughter at my side to give me whatever care and counsel I may need. Due to a chronic bronchial condition, my retirement allowance of $100 a month is not sufficient to meet all my expenses. However, this financial problem is solved as Serojini and I share one purse. Our feeling of love and interdependence on each other is a strong one. In view of this I fervently hope that it will be possible for Serojini to remain with me in this country. Likewise she herself

[1] In the Presidency Magistrate's Court, Bombay, India.

hopes that permission will be granted to her to remain in the United States of America.

With appreciation for your efforts in our behalf,

Sincerely,

GERTRUDE HARRIS.

LENOX HILL NEIGHBORHOOD ASSOCIATION, INC.,
New York, N. Y., November 30, 1954.

To Whom It May Concern:

Miss Serojini Harris has been a resident of the Lenox Hill Neighborhood House since August 1953. I had previously met her at a special dinner meeting of the international committee of the National Conference of Social Work held in Cleveland, Ohio, during the previous spring.

As a resident of the Lenox Hill Neighborhood House, Miss Harris has made an excellent contribution to our program. She is a medical social worker and has been serving in our adult department. Her duties include registration of new members, participating in the work of committees of our adults, assisting in special workshops, the family night programs, etc. Her adoptive mother, Miss Gertrude Harris, has also been residing at Lenox Hill and assists in the typing of confidential reports.

Serojini Harris has been a responsible person of the highest integrity. She has a very warm feeling toward the United States and toward American institutions. This is especially understandable since she believes that, as an abandoned baby, she would either have been left to die or to have suffered a sad fate among countless other abandoned children in India were it not for the intervention of her adoptive mother. Her relationship with her is an excellent one and I know from conversations with Serojini when I first met her, that she is sincere in wanting to remain in the United States, as she has told me, "to see my mother through her last illness".

I believe that she would make an excellent permanent resident of the United States, devoted as she is to the democratic principles for which our country stands and grateful as she is for the opportunities she has had because of her mother's concern for her while representing an American mission in India.

I recommend strongly that every possible consideration be given to permit Miss Harris to continue to reside in the United States.

Very sincerely yours,

LILLIAN D. ROBBINS, *Executive Director.*

MEMORIAL CENTER,
New York City 21, N. Y., November 29, 1954.

To Whom It May Concern:

It is the profound hope of Memorial Center for Cancer and Allied Diseases that the efforts of Miss Serojini Harris to gain permanent residence in the United States will receive very earnest consideration.

Miss Harris, who is a member of the staff of the medical social service department at the center, has been employed here since September 1, 5953. Her services in that capacity have been invaluable to patients (and their families) in the pediatric, lymphoma, and general medical services. The performance of her duties has been excellent at all times, and I have been impressed with the comments of the director of the social service department and her immediate supervisor.

Because of the quality of Miss Harris' work and her great energy in connection with her casework responsibilities, she is presently chairman of the staff program committee of her department. Furthermore, she is a member of the American Association of Medical Social Workers.

Miss Harris enjoys the respect of her professional colleagues, the staff of this institution, and an unusual degree of friendship from those whom she has served.

I feel that I should call to your attention that Miss Harris, who is of Indian origin, has absorbed in the 6 years since she came to this country so much of its customs and atmosphere that she is today a person who has been thoroughly assimilated and she has made all the necessary adjustments to her environment. This process has been facilitated because of the very close relationship which has existed between Miss Harris and her adoptive mother ever since the infancy of the applicant. I wish to emphasize this point because of its obvious importance in connection with her ability to deal with the difficult problems which confront the people with whom she helps so effectively.

Because of my personal full-time interest in this institution and particularly the problems of our patients, whom Miss Harris serves so capably, and because

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of the very close and warm relationship between Miss Harris and her aged adoptive mother, Miss Gertrude Harris, I wish to express my deep appreciation for whatever assistance may be given to attain the objective of the applicant.

In addition to the reasons which I have already stated above, I should like to mention the ever-present need for medical social service workers.

In commending the case of Miss Harris to your attention, I shall be grateful for your serious consideration of her application to obtain permanent residence in this country.

DONALD HIRST,
Member, Board of Managers.

MARBLE COLLEGIATE CHURCH,
New York, N. Y., December 2, 1954.

To Whom It May Concern:

It is a pleasure to state that we are acquainted with Miss Serojini Dongre Harris of Lenox Hill Neighborhood House, 331 East 70th Street, New York City. Miss Harris has been a very active member for a year and a half of the young adult group of Marble Collegiate Church of which Dr. Norman Vincent Peale is the pastor.

The life story of this Indian-born girl is a very gripping one. We would like to urge that whatever action is necessary be taken to give Miss Harris permanent residence status in the United States. Miss Harris desires to remain with her adopted mother, Miss Gertrude Harris, who saved her life in infancy and has trained and educated her and legally adopted her. Miss Harris is especially needed now in the days of the retirement of her adopted mother after 38 years of service as a missionary from America to India. She is now especially needed to minister to the financial and emotional needs in the declining years of her adopted mother, who is a United States citizen of fine repute.

Miss Serojini Harris has been an active participant in all of the young adult activities here at Marble Collegiate Church—social, spiritual, and educational—and has made a distinct contribution to the quality and influence of its projects. She is enthusiastic about America and its opportunities. With her international point of view she has helped our own American young people to evaluate and appreciate and make more of these opportunities. At the same time, she has helped us see how as individuals and as a group we can have wider influence on the international level. She is charming, poised, mature, brilliant, dependable, understanding, of exceptional personality and quality. She is sincerely grateful for the opportunities her mother and her friends here have provided for her, and this dominates her desire to remain here and to make some return for these blessings. She has a definite contribution to make in the interest of better racial and international understandings.

For the above reasons we believe it would be in the interest of justice to grant Miss Serojini Harris the permanent residence status for which she asks.

May we commend this matter to your highest consideration.

Most sincerely yours,

EUGENE MCKINLEY PIERCE,
Associate Minister.

MARY F. BRINIG,
Director of Activities.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1525) should be enacted.

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Calendar No. 1516

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1493

MIKIE WOODARD

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1552]

The Committee on the Judiciary, to which was referred the bill (S. 1552) for the relief of Mikie Woodard, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mikie Woodard. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 26-year-old native and citizen of Japan who married a United States citizen member of our Armed Forces in Japan in May 1953. Her husband died of polio 13 months later. Meanwhile they had become the parents of a United States citizen son. In September 1954, the beneficiary and her son came to the United States to visit the child's grandmother in Hutchinson, Kans., and they are presently residing there. It is stated that the beneficiary has shown marked aptitude in learning the English language and in familiarizing herself with American customs. It is further stated that she has endeared herself to her fellow townspeople and to her late husband's mother and the mother's husband, who are greatly attached to the grandson, also. The beneficiary worked as a bank teller in Japan. She supports herself and child by income from her husband's insurance and from social security.

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A letter, with attached memorandum, dated July 26, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 26, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1552) for the relief of Mikie Woodard, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Kansas City, Mo., office of this Service, which has custody of these files.

The bill would grant the beneficiary the status of permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Japan.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MIKIE WOODARD, BENEFICIARY OF S. 1552

The beneficiary, Mikie Woodard, a native and citizen of Japan, was born August 17, 1929. She was married to a citizen of the United States on May 29, 1953 and has a United States-citizen child 1 year of age. Her husband died of polio in Japan on June 11, 1954, while a member of the United States Air Force. The beneficiary and her child now reside at 321 East 9th Street, Hutchison, Kans.

Mrs. Woodard is unemployed. She formerly worked as a bank teller in Japan, where she completed 2 years of high school. Her assets total about $2,000. She receives income from her husband's insurance and from social security totaling about $319 per month. Her parents are deceased. Two brothers and two sisters reside in Japan.

The beneficiary's only entry to the United States was as a visitor at San Francisco, Calif. on September 30, 1954 for a temporary period to March 30, 1955. Her application for an extension of temporary stay was denied and deportation proceedings were instituted April 12, 1955 on the ground that she failed to comply with her visitor status. She has been granted the privilege of voluntary departure with the proviso that failure to depart would result in an order of deportation. There appears to be no administrative relief available to the beneficiary at this time.

The beneficiary and her son entered the United States to visit her deceased husband's mother, Mrs. Lila Fern Blake, with whom she resides. Mrs. Blake has stated that the beneficiary made an excellent adjustment in the United States and will continue to be regarded as a member of the family.

Senator Andrew F. Schoeppel, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

[From the Hutchinson News, September 2, 1955]

NEW IMMIGRATION LAW BOON TO WAR WIDOW

(This is the first in a series of stories of war brides living in Hutchinson)

By Eileen Foley

When Congress takes up a new immigration bill next year at least one Hutchinson family will watch every detail of the action. For, although most officials expect it to pass immediately, if it were vetoed Mrs Mikie Woodard would be forced to return to her native Japan.

Mrs. Woodard, widow of the late Robert Woodard, came a year ago with her son, Davey, to Hutchinson to visit her mother-in-law, Mrs. H. L. Blake, and Mr.

Blake, 321 East Ninth, after her husband's death in Japan from polio. She entered the United States on a 6-month visitor's visa, then won another 6-month extension. Her latest visa expired August 1, and were it not for the bill which is pending she would have returned to Japan.

The bill provides for a longer period of time for an American's wife to stay here so that she'll have an idea of the country before making a decision upon her citizenship. Davey, now 1½, although born in Japan, is an American citizen and Mikie plans to become a citizen as soon as possible.

"We were just worried sick when we thought Mikie might have to go back," said Mrs. Blake. She and her husband contacted the Veterans' Administration and a lawyer, who conferred with immigration officials in Kansas City, and appealed to Senator Andrew Schoeppel.

Mikie, who has 2 brothers and 3 sisters in Japan, would like to vacation there and misses them, but "I like Hutchinson," she says. The 24-year-old woman met her husband when he was with the Army in her home town of Fukuoka, Kyushu, where she worked in a bank, and after a well-chaperoned romance (her family was leery of American soldiers) they were married.

In Woodard's last days after being stricken with polio, he requested that Davey be educated in America. When the Blakes met her on the west coast Mikie could say a few words in English and American customs were confusing.

Now, a year later, she's almost as American as hotdogs, with just a little soy sauce added. Under the daily guidance of next-door-neighbor, Elma Hamil, she has learned English backward and forward, including slang. Miss Hamil also has taken her to concerts, so that she'll appreciate classical music, although, she admits, she prefers American swing.

She's learning to play the piano and to drive the car. The first she likes, but, she says, driving scares her a little, as it does many beginners. TV is a big attraction, too, but early this summer she missed seeing her uncle, a member of the Japanese Diet, on a TV program at a meeting of Japanese Government officials.

Movie magazines keep Mikie, an avid moviegoer, posted on the stars, and she takes advantage of the city library, too. That, housework, and cooking, which she enjoys, and Davey keep her busy. And she finds time to entertain and visit other war brides now in Hutchinson, including some Japanese women.

Mrs. Blake, who isn't above spoiling her grandson a wee bit—he has several cowboy outfits—says "We're doing everything we can to keep Mikie happy."

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Kansas City 6, Mo., November 12, 1954.

Mrs. MIKIE WOODARD.
Care of H. L. Blake,
321 East Ninth Street, Hutchinson, Kans.

DEAR MRS. WOODARD: This office is in receipt of your Japanese passport No. 50645 and temporary permit No. V–393346, as requested in our letter of October 27, 1954, and the United States passport No. 302 issued to your son, David Gary Woodard by the American Consulate in Fukuoka, Japan on June 21, 1954.

From the facts presented in your letter of October 21, 1954, it appears that you are the widow of a serviceman, Robert E. Woodard, who passed away June 11, 1954, and are the mother of his son, David Gary Woodard, born January 4, 1954 in Fukuoka, Japan. You stated in the letter of October 21 that you wish to remain in the United States for permanent residence.

Your visitor's permit indicates that you were admitted to March 30, 1955. You are advised that about February 15, 1955 you may make application of this office for an extension of your visitor's stay in the United States.

You are further advised that as the widow of a United States citizen, you are not eligible to make application for an adjustment of your status to that of a permanent resident and unless a private bill is introduced in your behalf, it will not be permissible for you to remain in the United States after your stay as a visitor expires and this Service can no longer honor applications for extensions in your behalf. The above-mentioned passports are returned.

Yours very truly,

JAMES M. SWEET,
Acting Officer in Charge, Kansas City Division.

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DIOCESE OF KYUSHU,
JAPANESE EPISCOPAL CHURCH,
OFFICE OF THE AMERICAN MISSIONARY REPRESENTATIVE,
Fukuoka, Japan, July 7, 1954.

MY DEAR MRS. BLAKE: It is my prayer for you at this time that God will speak to you and proclaim His ultimate victory over death. I pray that God will give you the power to grasp and make your own our common faith in the resurrection of Jesus Christ from the dead. I pray that your whole family may be strengthened in this faith at this time.

When I lost a loved one several years ago I was greatly helped by a section in Rabbi Liebman's book, Peace of Mind. One chapter is about death and he discusses "grief work" and "the end of life." This I recommend most heartily.

I work very closely with the Reverend Mr. Ota, to whom Mr. Croft sent the cable. I was out of town on a rather long trip and by the time I returned, Major Stevenson had already written you, bringing you up to date on everything.

I have visited Mickie and Davey and she has been to my home twice and will come once again next week. You will love both of them and I know they will love you. When I first visited Mickie she showed me your letter to her, and I took the liberty of reading it. Mrs. Blake, I think that was the loveliest letter I have ever read. Your unselfish and outgoing concern for Mickie and Davey moved me very deeply. It was a tremendous help to Mickie to receive such a letter from you. She was more than comforted by your concern and more than appreciative that you wanted her and Davey to come to America.

Mickie is quite an unusual girl. She is alert and attractive and is a wonderfully honest and sound person. She handles herself well, dresses well, and is just as amiable as anyone could be. You and she will have no problems as persons. I am sure you will hit it off from the very beginning.

I would like to speak quite frankly about two things, if I may. The first concerns her visit with you. The second concerns the possibility of her staying in America.

First, her visit. As I said, you will have no problems as persons, but you will have one problem because all of you are Americans and because she is a Japanese who has not spoken English all of her life. You are going to have a language and communication problem. This is not as terrible as it sounds but it is vitally important. Mickie knows a great deal of conversational English. She can say almost anything she wants to, after a fashion. She can understand almost anything that is said to her, if it is said slowly and enunciated clearly. This cannot be overemphasized. Humor and technical terms are beyond her pale at present.

Too much care and attention cannot be given to the language problem. This is a tremendous barrier and emotional block. At the very beginning you all must somehow make her understand that it's all right to make mistakes, not be understood, and not understand.

For her own good I would strongly recommend that she be taken in hand as a child and given lessons in English by a competent person. I would suggest that she be made to start with first grade readers and go forward from there. (We have to do the same thing in Japanese; there is no question of humbling people, it is simply a matter of meeting people where they are in a foreign language.) During her instruction pronunciation and grammar should be strictly corrected. Such instruction will help her tremendously and save her from much embarrassment After 3 months she will be a different person. The emotional security she will gain from this is of far more importance than the technical language thing.

Having floundered around in the Japanese language for 4 years, I presume to claim some validity for what I am saying. She will need formal instruction in English and I will dare to say that when she gets to America this will be her greatest need.

Second, the possibility of staying in America. Mickie's brothers and sisters are advising her to stay in America and let little Davey get an American education. She is worried about being lonely in America, and she is still bashful about her English, but with great feeling she relates how her husband spoke often of wanting Davey to get a good American education through college.

Also in the picture at this point is something which I hesitate to broach with you, but I feel it is my duty to be quite frank and truthful with you. Mickie's brothers and sisters also think it would be a social advantage for Davey to live in America. In their present neighborhood there are several Japanese-American children whose mothers are unmarried Japanese women. It is feared that

Davey will suffer embarrassment in later years as will these children whose fathers are not present.

I personally think that Mickie and Davey will have a better life and will be happier in America than in Japan. There is absolutely no question but that the boy will be better off in America, particularly as pertains to his education.

Mickie is trustworthy and congenial and I know that the two of you will have a wonderful experience getting to know and love each other. All of the papers and passports and visas are in order and she should get her port call very soon. Then you will be able to figure out exactly when she will arrive in America. If there is anything I can do or tell you, please do not hesitate to write me. Although I leave next week and will be gone for 7 weeks, my mail will be forwarded to me and I can always write back here to Mr. Ota.

I send you my best personal regards and good wishes.

Your brother in Christ,

ROBERT M. SMITH.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1552) should be enacted.

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Calendar No. 1517

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1494

DR. JOHN JOON SIK CHUNG

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1560]

The Committee on the Judiciary, to which was referred the bill (S. 1560) for the relief of Dr. John Joon Sik Chung, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of the husband of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 33-year-old native and citizen of Korea presently living in Korea. He first entered the United States as a student on January 1, 1950 and his last entry was as a visitor at Seattle, Wash., on September 17, 1952. He was first married to a citizen of Korea in 1944 and after receiving word from his mother that his wife was dead, he married a United States citizen July 12, 1952, and they now have a 2-year-old citizen child. After this marriage he learned that his Korean wife was still alive and after making two trips to Korea, he obtained a valid divorce from the first wife and immediately remarried his second wife while still in Korea. She and the child came to the United States, thereafter, but the beneficiary was ineligible to obtain an immigrant visa because of the "bigamy and adultery" charges. He is a doctor of medicine and is presently

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employed by the Korean Government in tuberculosis control. Without the waiver provided for in the bill, he will be unable to join his citizen family in the United States and provide for them.

A letter, with attached memorandum, dated July 26, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 26, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1560) for the relief of Dr. John Joon Sik Chung, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Kansas City, Mo., office of this Service, which has custody of those files.

The bill would exempt the beneficiary from the provisions of the Immigration and Nationality Act relating to the exclusion of aliens who have been convicted of or admit the commission of crimes involving moral turpitude, and would permit the beneficiary to enter the United States for permanent residence if he is found otherwise admissible. It also provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. JOHN JOON SIK CHUNG, BENEFICIARY OF S. 1560

The beneficiary, John Joon Sik Chung, also known as Joon Sik Chung and John J. Chung, a native and citizen of Korea, was born on January 11, 1923. He was married to a citizen of Korea in 1944 and has an 8-year-old child by that marriage. On July 12, 1952 he married Joan Zahourek, a native and citizen of the United States in New Mexico. On May 10, 1954, following a divorce from his Korean wife on April 14, 1954, he remarried Joan Zahourek in Korea. A 2-year-old child, who resides with and is supported by its mother at Wichita, Kans., was born of this marriage. The beneficiary resides in Seoul, Korea.

The beneficiary is a doctor of medicine, presently employed by the Korean Government in tuberculosis control. No information is available regarding his income or assets.

Dr. Chung has made two entries to the United States. He first entered as a student on January 1, 1950. Deportation proceedings were instituted on the ground that he had remained in the United States longer than permitted as a student. He was granted the privilege of departing voluntarily from the United States and did depart on August 1, 1952. His last entry was as a visitor at Seattle, Wash., on September 17, 1952. An extension of stay to September 17, 1953, was granted. Deportation proceedings were instituted on the ground that he failed to comply with his visitor status. The special inquiry officer ordered that he be deported and he departed from the United States under order of deportation on February 1, 1954. His application for permission to reapply for admission to the United States was denied for the reason that he is ineligible to receive an immigrant visa due to his admission of having committed bigamy and adultery. An appeal from this order of denial was dismissed on February 14, 1955.

The beneficiary has had no military service and was not required to be registered under the Universal Military Training and Service Act.

Senator Andrew F. Schoeppel, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

WICHITA, KANS., *January 7.*

Senator ANDREW F. SCHOEPPEL,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Pursuant to your request, I am enclosing herewith a copy of the brief on file in this appeal. I think, if you read it carefully, you will find it contains an accurate review of the facts in question here. You will notice that in the brief, frequent reference is had to three exhibits—Exhibits A, B, and C. These consist of three affidavits, all duly authenticated by the American Embassy in Seoul, Korea. The first exhibit is from the mother of Dr. Chung, Kyung Hyun (exhibit A). The second exhibit (B) is from applicant's Korean wife, Dong Suk Kum and the third affidavit is from the sister of Dong Suk Kum, a lady named Keum Dong Wen. It is helpful to remember that these affidavits are from Koreans who are actually involved and each of them was on the scene in Seoul and had personal knowledge of all the facts in this case.

These affidavits state this: Chung's mother swears that in June of 1950, when the Korean war broke out, she visited Chung's wife in Seoul. At that time, she saw with her own eyes that Dong Suk Kum was in poor health, not yet recovered from the childbirth she had recently had. They had a brief conversation in which Chung's wife told his mother she was suffering from chronic stomach trouble, etc. Chung's mother then left and did not again see her daughter-in-law for a period of 2 years, since Chung's wife fled Seoul in the face of the advancing Chinese Communist Army, to live with relatives at Taegu, Korea.

About a year and a half later, in September of 1951, Chung's mother runs across Keum Dong Wen, sister to her daughter-in-law. Keum informs her that Dong Suk Kum has died; this, the old lady believes, since she remembers the last time she saw her son's wife, she was ill and complaining of stomach trouble. Accordingly, 4 months later when civilian mail service is restored in Korea, she writes her first letter in 2 years to her son in America and tells him that his Korean wife is dead. Dr. Chung honestly believing himself to be single, in July 1952, then marries an American citizen. This is the act of bigamy of which the Government has complained.

I have emphasized, in my brief and in conversations with the officers that at all times, Chung's Koeran (Korean) wife knew where her husband was, and could have communicated with him at any time, but refused to do so.

Shortly after his remarriage to his American wife, Chung learned that his Korean wife was alive; he promptly returned to Korea and told her what had happened. She agreed to grant him a Korean divorce, whereupon he returned to the United States and his family. In Korea, divorce is signified by either spouse merely signing the family register to the effect the marriage is no longer in effect; this requires no lawyers, no priests, and no formal procedure. Chung left his homeland believing his Korean wife would execute the necessary register. In her affidavit, exhibit B, Dong Suk Kum (Chung's wife) swears that the above is true and that she fully intended to divorce her husband, but that after he left Korea, she changed her mind—and this age old prerogative of womanhood is what causes most of our difficulty; although she changed her mind about the divorce, she didn't tell anyone of this decision on her part. Chung wrote frequently to her, literally begging her to keep her word and send him proof of his divorce; finally, his Korean wife pulled a nasty trick by complaining direct to the American Embassy that her husband had deserted her and was in America living with another woman.

The Immigration people promptly started deportation action against Chung and he, to forestall this, returned voluntarily to Korea, where he this time took the divorce himself. After this, he sent for his American wife and their infant daughter and on May 10, 1954, he and Joan Bernice Chung were formally remarried in the American Embassy at Seoul, Korea. There is no question but what this marriage was legal and proper. In September of 1954 when Chung tried to reenter the United States to follow his wife and daughter back home, he was denied permission to re-apply for entrance into the United States because he was an . . . "alien who has admitted the commission of a crime involving moral turpitude, to wit; bigamy and adultery." This is the decision from which we have taken our appeal. We have gone through the Immigration and Naturalization offices at Kansas City, Chicago and now, St. Paul, Minn.; this is the final step we can take, Senator. If we are rejected here, we may not appeal further.

In my opinion, Chung is guilty of making an unintentional error; the facts clearly demonstrate he acted at all times as a decent and honorable man—doing his best to remedy a situation not of his own making; I fail to see how the Govern-

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ment can maintain these acts on his part were actuated by "vile, detestable and foul motives . . ." which the law construes as moral turpitude.

Also, if Chung is denied his right to re-enter the United States, it means untold hardship for his wife and daughter who will be forever parted from their husband and father; it is all the American wife can do now to support herself and child. If Dr. Chung is allowed to re-enter the United States, it means our country will gain a good, trustworthy citizen who will have every reason to recognize his debt of gratitude by loyalty, service and devotion, to his new government and enable him to live out his life with those who love him.

Senator, the help you can render us is immeasurable. If you will either write, wire or, preferably, call Mr. Remington, 790 Cleveland Avenue South, St. Paul, Minn., (phone CApitol 28011) United States Department of Justice, Immigration and Naturalization Service, Examinations Branch, and tell him you are familiar with the facts in this, have discussed it with me and have personally examined the file and brief and that, in your opinion, Dr. Chung would be a welcome addition to our citizenship; that he has committed no act of moral turpitude: that he should be allowed to re-apply for admission to our country. I know it would be a great service to deserving people.

We turn to you now as we have no other place from which help can be expected. If Remington turns us down, we can do nothing further—so you see how desperately our case needs whatever assistance you can lend us.

We will, of course, reimburse you for any expenses such as phone calls, etc., you make on our behalf.

This letter is poorly typed, I know—my secretary chose today of all days to have the flu and I have pecked this out due to the need for haste. Please remember that you should contact Remington at your earliest possible opportunity.

On behalf of my client and myself, I wish to thank you for your kind and courteous consideration; your prompt and gentlemanly consideration of our request reflects the highest credit upon you and makes us all very proud of our Senator.

Respectfully yours,

JEAN OLIVER MOORE, of OWENS, MOORE & GODWIN.

BRIEF OF APPELLANT

This is an appeal from the decision of the United States Department of Justice, Immigration and Naturalization Service, entered in this case on September 10, 1954, denying Dr. John Joon Sik Chung permission to reapply for admission into the United States for the reasons that "applicant is mandatorily excludable as an alien who has admitted the commission of a crime involving moral turpitude, to wit: bigamy and adultery."

STATEMENT OF THE CASE

Appellant, Joon Sik Chung, is a national of the Republic of Korea. He is, by profession, a medical doctor. In December of 1949, appellant was living in Seoul, Korea, with his wife Dong Sook Keum and their 2-year-old daughter. At this time appellant's Korean wife was expecting their second child.

Having an opportunity to visit the United States and to continue his medical studies, appellant obtained a student visa to enter the United States and arrived in Seattle, Wash., on January 1, 1950.

Appellant traveled to St. Benedicts College, a Catholic institution, in Atchison, Kans., where he remained until July 1950, when he accepted a 1-year internship at St. Joseph Hospital in Wichita, Kans. Upon the expiration of this term, in June 1951, appellant accepted the general residency at the Sedgwick County Hospital situate in Wichita, Kans., where he remained until on or about March 10, 1952. At this time, appellant was offered, and accepted, a position on the medical staff of the Kansas State Tuberculosis Hospital at Norton, Kans., where he remained until August 1952.

On June 11, 1950, while appellant was in the United States, studying at St. Benedicts College, appellant's Korean wife gave birth to their expected child (exhibit A). Two weeks later, on June 25, 1950, the Korean war erupted, with the invasion of the Republic of Korea by the People's Republic to the north. At this time, appellant's Korean wife was quite ill, suffering from "chronic stomach trouble and the effects of the childbirth" (exhibit B). Sometime in July of 1950, the mother of appellant, Kyung Hyun, visited appellant's wife in her home in

Seoul and found the family was safe, although her daughter-in-law (the wife of appellant) was ill (exhibit A). Sometime in September 1951, appellant's mother was informed by Keum Dong Wen, sister of her daughter-in-law, that appellant's wife had died of illness (exhibit C and exhibit A). Not until January 1952, was it possible for civilian mail service to be restored in Korea, and at this time, appellant's mother received her first letter from her son since June of 1950. She wrote back to appellant, in February 1952, informing him that his wife was dead (exhibit A).

On July 12, 1952, appellant, believing himself to be a widower, married Joan Bernice Zahourek, an American citizen, in Tucumcari, N. Mex. Shortly after this marriage, appellant learned that his Korean wife was very much alive, whereupon, in August 1952, he voluntarily returned to Korea.

Upon his return to Korea, appellant's Korean wife promised to give him a divorce. As stated in appellant's exhibit B, she promised she would obtain the divorce "right away." In Korea, divorces are obtained by either the husband or the wife signing the family register, indicating that the marriage has been dissolved. To this family register, each party must sign, or affix their seal. After appellant had returned to the United States, he received various letters from his Korean wife, telling him the divorce had been granted (exhibit B) but when appellant insisted that he be provided with a copy of the family register to prove the divorce had been made (exhibit B) appellant's Korean wife then decided in June, 1953, to have her husband returned to Korea "hoping (to bring) his love back to me" (exhibit B).

Consequently, in July 1953, appellant was required to return for the second time to Korea. This time, appellant was given a divorce by his Korean wife and it was duly registered on the family register. After the divorce had been granted, appellant's American wife, Joan Bernice Chung, flew to Seoul, and they were remarried in the American Embassy at Seoul, Korea, on May 10, 1954.

Appellant and his American wife are the parents of a daughter.

Shortly after their second marriage in Seoul, Korea, Mrs. Chung returned to the United States. Appellant sought permission to reapply for admission into the United States in order to rejoin his wife and daughter. This permission was denied on September 10, 1954 for the reasons that "applicant is mandatorily excludable as an alien who has admitted the commission of a crime involving moral turpitude, to wit: bigamy and adultery."

Thereafter, on September 24, 1954, notice of appeal was duly filed by the undersigned as counsel for appellant and the statutory fee of $10 was duly paid.

QUESTIONS INVOLVED

By his marriage to Joan Bernice Zahourek-Chung, when he had a living, undivorced wife in Korea, did appellant commit a crime involving moral turpitude?

ARGUMENT

The primary question to be determined here, is, did appellant commit a crime involving moral turpitude?

In order to discuss this issue properly, let us define our terms. As a legal phrase, "moral turpitude" is defined as "the quality of a crime involving grave infringement of the moral sentiment of the community, as distinguished from statutory mala prohibita." (*State Medical Board* v. *Rodgers*, (79 S. W. 2d 83, 84; 190 Ark 266; In Re: Hawke, App., 63 N. E. 2d, 553, 554; In Re: Burch, 54 N. E. 2d 803, 806, 73 Ohio App. 97.))

There is no hard and fast rule as to what constitutes moral turpitude, and what will be held such is not entirely clear from a review of the authorities. Moral turpitude implies something immoral in itself (mala per se) regardless of whether it is punishable by law as a crime, since an act may involve moral turpitude even though it is not a crime. (In Re: Jacoby, 57 N. E. 2d 932, 936, 74 Ohio App. 147). It must not be merely mala prohibita, but the act itself must be inherently immoral. (*U. S. ex rel. Berlandi* v. *Reimer*, (D. C. N. Y., 30 F Supp. 767, 768;) *In Re; Schill*, (9 Pa. Dist. & Co., 202, 203); *Bartos* v. *United States District Court for the District of Nebraska*, (C. C. A. Neb., 19 F. 2d 722, 724;) *U. S. ex rel. Manzella* v. *Zimmerman*, (D. C. Pa., 71 F. Supp. 534, 537); *Pippen* v. *State*, (73 So. 340, 342, 119 Ala. 613); *ex Parte Marshall*, 25 A. L. R. 338; 207 Ala. 566.) The doing of the act itself, and not its prohibition by statute, fixes the moral turpitude.

Moral turpitude signifies an inherent quality of "baseness, vileness, and depravity, and generally speaking, it involves an act of inherent baseness in the

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private, social or public duties which one owes to his fellow men, or to his government, or to society. (*Grievance Committee of Hartford County Bar* v. *Broder*, (152 A, 292, 294; 112 Conn. 263); *Kurtz* v. *Farrington*, (132 A. 540, 541; 104 Conn. 257, 48 A. L. R. 259); *State* v. *Hollingsworth*, (146 So. 660, 661; 108 Fla. 607) and refers to conduct which is inherently base, vile or depraved and contrary to accepted rules of morality.

It is more than the civil delinquency manifested by breaking a known law; it is a serious delinquency measured by the general moral standards of the time and country, of a sort and nature that would be regarded as such, independently of there being any law against it. (*Skrmetta* v. *Coykendall*, (D. C. Ga., 16 F. 2d 783, 784)).

Moral turpitude often involves the question of intent and as a general rule unintentional wrong or an improper act done without unlawful or improper intent does not carry with it the germ of moral turpitude. (*Drazen* v. *New Haven Taxicab Co.*, (111 A. 861, 863, 94 Conn. 500); *State* v. *Malusky*, (230 N. W. 735, 737, 59 N. D. 501, 71 A. L. F. 190). Thus an act committed because of ignorance does not constitute moral turpitude. (*Friday* v. *State Bar*, (144 P. 2d 564, 567; 23 Cal. 2d 501)).

Moral turpitude is not involved in every criminal act and is not shown by every known and intentional violation of a statute; whether any particular conviction involves moral turpitude may be a question of fact and frequently depends on all the surrounding circumstances. (*Brainard* v. *Board of Medical Examiners of California*, (157 P. 2d 7, 8; 68 Cal. App. 2d 591)).

In order for a just determination to be made in this case, it is necessary to bear in mind the unusual factual circumstances with which we are confronted.

There can be no question but that appellant honestly, sincerely and deeply believed himself to be a widower. By the attached exhibits, it is apparent that appellant was informed by his mother that his Korean wife had died. Appellant had every reason to rely on the authenticity of this report, since his mother was in Seoul, Korea, and was in touch with members of his Korean wife's family.

Appellant, who was some 6,000 miles from home, unable to either send or receive mail from his people and having no other means of communicating with them, had no basis either in fact or in fancy to believe his wife living.

It is difficult, at best, to substitute one's own emotions for those of another. Appellant must have been shocked, confused and bewildered at the events taking place in his country. The Korean war is not so long over that we have forgotten the terrible desolation and brutal savagery which accompanied it. The millions of persons who were killed, the thousands of homes that were destroyed, the terror-stricken refugees who fled south from the onrushing Chinese Communist armies—all these facts must be considered in evaluating appellant's behavior. Especially when one remembers that Seoul, the capital city of Korea and appellant's home where his wife and child were, was twice occupied by the invading Chinese Communist army and was twice liberated by the United Nations forces.

Appellant was dependent upon his mother for information. His wife, by her own admission, did not seek to correspond with him until after his marriage to his present wife (exhibit 3). From May 1951 through July, 1952 appellant had no word from her, and when, in February 1952, he is informed of his Korean wife's death, he committed his only error—of believing this report.

The record clearly demonstrates that after appellant learned his first wife was living, he acted in a straightforward, decent, and honorable fashion. Voluntarily returning to Korea, he told his Korean wife what had happened to him and she agreed to give him a divorce. Appellant then returned to the United States believing in her promise. That she changed her mind and refused to divorce appellant until after his second trip to Korea, is no fault, either directly or indirectly, of the appellant. After the divorce had been secured appellant then sent for and remarried his American wife in the American Embassy at Seoul, Korea.

Are these the acts of a man "inherently base, vile, and depraved"? Does such action as this on the part of appellant indicate such a low contempt for morality so as to constitute moral turpitude? Or rather, can it be more accurately described as the conduct of a man who honestly and sincerely sought to remedy an unintentional error which he had committed?

The mass of evidence in this case proves that appellant acted upon mistaken facts. There was, on his part, neither the intention nor the design to willfully, wantonly, and flagrantly violate the laws of New Mexico, the United States or the Republic of Korea. Appellant acted in honest ignorance of a factual situation which he had every reason to believe was true.

The landmark case with reference to the question of moral turpitude *Drazen* v. *New Haven Taxicab Co.*, supra, wherein the court held "an unintentional wrong or an improper act done without unlawful or improper intent, does not carry with it the germ of moral turpitude" and, as was held in the case of *Friday* v. *State Bar*, supra, "an act committed because of ignorance does not constitute moral turpitude."

The unintentional error, the unintentional improper act which appellant admittedly committed in marrying his present wife, cannot be held to constitute that degree of baseness, vileness, and depravity the law demands in moral turpitude.

In closing, the writer would like to point out a human element which may be overlooked in a purely legal argument. His ties in Korea dissolved by divorce, appellant seeks by this proceeding only to rejoin his family in the United States and to make a good life for himself and his dependents. Appellant has in this country a loving, devoted wife and an infant daughter. Surely they are entitled to the love, affection, and support of their husband and father.

Respectfully submitted.

JEAN OLIVER MOORE,
Counsel for Appellant.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1560) should be enacted.

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Calendar No. 1518

84TH CONGRESS, 1st Session | SENATE | REPORT No. 1495

GIUSEPPE VENTURA

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1619]

The Committee on the Judiciary, to which was referred the bill (S. 1619) for the relief of Giuseppe Ventura, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Giuseppe Ventura. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill, inasmuch as the beneficiary is married to a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 60-year-old native and citizen of Italy who last entered the United States during September 1950 by claiming United States citizenship and presenting the birth certificate of his brother who was born in the United States. He first entered the United States in 1895 accompanied by his parents, but in 1906 returned with them to Italy where he remained until 1923 when he entered the United States by the use of a United States passport secured in the name of his brother. In 1931 he married a United States citizen, thinking that his first wife had died; she died in Italy during 1938. On February 18, 1949, he was legally married to his United States citizen wife and they have 4 United States citizen children, 1 of whom is presently serving in Korea with the Marines.

A letter, with attached memorandum, dated August 24, 1954, to the then chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service

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with reference to S. 3684 which was a bill pending in the 83d Congress for the relief of the same alien reads as follows:

AUGUST 24, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 3684) for the relief of Giuseppe Ventura, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y. office of this Service, which has custody of those files. It should be noted that Mr. Ventura is also the beneficiary of private bill H. R. 9759 introduced in the House of Representatives June 30, 1954.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee.

It appears that the beneficiary is eligible to nonquota status and, if otherwise qualified, able to obtain a nonquota immigration visa.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GIUSEPPE VENTURA, BENEFICIARY OF S. 3684

Giuseppe Ventura, also known as Joseph Ventura, Nicasio Ventura, and Nick Ventura, was born December 4, 1894, in Italy and is a citizen of that country. He last entered the United States during September 1950 at Champlain, N. Y., by claiming United States citizenship and presenting the birth certificate of his brother, Nicasio Ventura, who was born in New York City. Mr. Ventura first entered the United States about 1895 accompanied by his parents. In 1906 he returned with them to Italy where he remained until 1923 when he entered the United States by use of a United States passport secured in the name of his brother Nicasio. On June 13, 1931, the beneficiary applied for a license to marry in the State of New York, and on that date went through a marriage ceremony with Josephine Castellani, a United States citizen. He did so although he had previously been married and his first marriage was still in existence at that time. On February 18, 1949, Mr. Ventura was legally married to Josephine Castellani, his first wife having died in Italy during 1938. Mr. Ventura claims he married in 1931 after receipt of information that his wife had died.

On August 5, 1952, deportation proceedings were instituted against the beneficiary charging that at the time of his last entry he was not in possession of an unexpired immigration visa as required by law and that he had entered by means of false and misleading statements, thereby entering without inspection. During a warrant hearing an additional charge that he admits having committed crimes involving moral turpitude, to wit, bigamy and perjury, was lodged and Mr. Ventura ordered deported from the United States. Upon appeal to the Board of Immigration Appeals, the bigamy charge was withdrawn and the beneficiary granted permission to depart voluntarily from the United States, with an alternative of deportation. Mr. Ventura has until October 31, 1954, to effect his voluntary departure.

The beneficiary is self-employed as a plasterer. He claims not to have been able to accept prolonged or strenuous employment for the past few years because of poor health, consequently his earnings have been approximately $400 annually. His wife is employed as a sewing-machine operator earning about $1,750 annually. They have three United States born children, all grown. Mr. Ventura's son of his first marriage, a native and citizen of Italy, entered the United States surreptitiously during 1951 and is presently under deportation proceedings. The beneficiary's only other close relative is his brother, Nicasio, who resides in Italy. Mr. Ventura claims no assets save his personal and household belongings.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

NATIONAL CATHOLIC WELFARE CONFERENCE,
Washington, D. C., March 29, 1955.

Hon. HERBERT H. LEHMAN,
Senate Office Building,
Washington, D. C.

(Attention Mrs. Ruth Schneider)

DEAR SENATOR LEHMAN: In view of the long-term interest we have had in Giuseppe Ventura, we are writing to express the hope that you will find it possible to reintroduce a private bill in his behalf. We are aware of the fact that you kindly sponsored S. 3684 at the last session of Congress but, due to the late introduction on June 29, 1954, there was little opportunity for action.

Through the efforts of our department's office in New York, in an endeavor to assist Mr. Ventura, we have become exceedingly interested in his illegal situation in this country and feel that in view of his long-term residence here and fact that his son Mariano has served with the United States Marines, it would be unfortunate were the father not permitted to remain in this country with his family. This is especially true by virtue of the fact that he has already enjoyed such a long period of residence here.

We thus appreciate this opportunity of recommending him for your favorable consideration and we trust that during the present Congress it will be possible to have the private bill passed that will eliminate the immigration difficulty that he has encountered.

We are enclosing copy of the letter which we wrote you on May 18, 1954, as describing the situation relative to Mr. Ventura.

Gratefully, and with sentiments of esteem and best wishes, I remain,

Very respectfully yours,

BRUCE M. MOHLER,
Director, Department of Immigration.

MAY 18, 1954.

Hon. HERBERT H. LEHMAN,
United States Senate, Washington, D. C.

(Attention: Mrs. Schneider, Re Giuseppe Ventura A7194281.)

DEAR SENATOR LEHMAN: We are writing to you with reference to the case of Giuseppe Ventura, in whose behalf his son, Pfc. Mariano Ventura, now in Korea, has, we are informed, written to ask if you will be good enough to introduce a private bill. In this connection we are glad to send you pertinent information concerning this case which we hope will be helpful to you in reaching a decision upon his request.

Mr. Ventura was brought to the United States by his father in 1894, when he was 3 months old. His parents had lived here legally for some years, but when the child was about to be born, his mother was in poor health and, therefore, went back to Italy for his birth. She died, and the father went over and brought the child here. Giuseppe remained here until 1906 when at the age of 12 he was taken to Italy by his father and stepmother. He married there in 1921 or 1922, and returned to the United States in 1923, in the name of his American-born brother. He seems to have rationalized using his brother's birth certificate on the ground that he was just as much of an American citizen as his brother was; in fact, in his own estimation, more so, as his brother intended to remain in Italy, whereas he had always wanted to come back to this country.

Subsequently being informed that his wife was living with another man, Giuseppe married his present wife in a civil ceremony on June 13, 1931, and when our New York office was helping his wife petition for a nonquota status for him in 1948, they noted from the certificates for which he had to send to Italy, that his first wife was still living at the time of his second marriage. His first wife had, however, died in 1938 (he has never been back to Italy and so of course, had not seen her since 1923) and, consequently, it was possible to have his marriage validated, which was done with a church ceremony on February 18, 1949. The couple, in the meantime, had three American-born children, of whom Private First Class Ventura is one. The second wife is also an American citizen.

Mr. Ventura was granted the privilege of preexamination and his wife's petition was approved, but at the preexamination hearing it developed that he had entered in 1923 as an American citizen. He was not charged with bigamy at the preexamination hearing, since the second marriage had been corrected, but the case was forwarded to Washington because of his illegal entry.

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DEAR SIR: I am writing you in view of the fact that you have been known to help many people in similar circumstances.

Having already expended what few resources my family and I had, I must now resort in a last effort to ask for a little of your time and understanding.

Some time in I believe to be about 1951 my father, Joseph Ventura, had as far as I could understand committed an illegal act by going into Canada with a passport that did not belong to him, and of course, that, with the fact that he was not an American citizen and never had been made this all very bad, the result of this to date is deportation orders by immigration authorities. Of course, this would have been all justified under other circumstances but unfortunately my father has been living in the United States for about 35 years; in this time he has married and raised a family of five, my mother who is a natural-born American; a sister now married to an Air Force serviceman; a brother who is now serving with the Marine Corps in Korea, and myself, who also served with the Army in Korea.

All of this is only secondary to the fact that both my mother and father are getting on in years and of course their health is not improving with age, my father, having not been to his native country since he left there and not having any relatives or friends hardly speaking his native language, fears a cold and very unsympathetic reception in a country torn by economic and political strife with a very strong Communist trend with no one to look after his interest; in a country that has no room for the aged and almost infirm, without funds or friends, living thousands of miles away, and having our mother and our own maintenance to keep we can only hope, at best, to be able to give him an allowance that would just permit him to exist abroad.

I sincerely believe that my father cannot survive and be content through an ordeal such as this.

I close this letter in the hope that you will devote a little of your time and understanding in taking steps to correct what I believe to be a gross moral injustice. Thank you,

Respectfully yours,

JOSEPH VENTURO, Jr.

D COMPANY,
2D BATTALION, 7TH MARINES,
1ST DIVISION, FMF PAC,
FPO, San Francisco, Calif., May 1, 1954.

Senator HERBERT H. LEHMAN,
Congress of the United States,
Washington, D. C.

HONORABLE SENATOR: My father, Giuseppe Ventura, has been ordered to depart from the United States by July 1, 1954. He has been in the country for many years. My sister and I have been born in the States. However, he never did become a citizen and is now faced with deportation. The particulars on his case are explained in the letter enclosed. Furthermore, the National Catholic Welfare Council will send full information on my father's case if you request it. A Miss Fisher has been helping my father. She is associated with the NCWC. Besides this the Red Cross has been trying to do something for him, too. But the way it looks now my father will have to leave the States permanently unless something is done.

I have been serving my country in the Marine Corps in Korea. In view of this and the fact that my father seems to be a victim of circumstances and in no way wants to leave the States where he feels he belongs and where his family is living, would you please introduce some special bill or do something for him?

Naturally I am very much worried and time is passing by quickly. I anxiously await an answer from you.

Respectfully yours,

MARIANO VENTURA,
Pfc, USMC, 1365688.

HEADQUARTERS, 2D BATTALION, 7TH MARINES,
1ST MARINE DIVISION (REINF) FMF,
c/o Fleet Post Office, San Francisco, Calif., June 8, 1954.

Hon. HERBERT LEHMAN,
Washington, D. C.

DEAR SENATOR LEHMAN: I am writing you in regards to the case of Mr. Guiseppe Ventura, of Corona, Long Island, N. Y., against whom deportation proceedings have been taken.

Being the legal officer of this battalion, I helped Pfc. Mariano Ventura draft up his letter of appeal for introduction of a private bill to keep his father in the country. I advised him of his possible courses of action in this matter. Besides the appeal, he has also written his parents to seek petitions from Mr. Ventura's neighbors, business acquaintances, and relatives attesting to his good character and reputation. I know of nothing else that he or I can do at this time. If there is anything else I can do on this end, I will only be too happy to help.

I am attached to and serving with Headquarters and Service Company, 2d Battalion, 7th Marines, 1st Marine Division, Fleet Marine Force, care of Fleet Post Office, San Francisco, Calif., and mail may reach me at that address.

Another person who may be of assistance in this case is Mr. T. F. Mulhalland, port director, New York, National Catholic Welfare Conference, department of immigration. Mr. Mulhalland gave me most of the facts noted in Private First Class Ventura's letter. He has been of immeasurable help in obtaining the facts of this case.

I can only say that I hope something can be done to alleviate this unfortunate situation. I know that any action on your part will be deeply and sincerely appreciated by the Ventura family.

Sincerely yours,

DONALD H. SEBADE,
First Lieutenant, United States Marine Corps Reserve.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1619) should be enacted.

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Calendar No. 1519

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1496

TERESA LUCIA CILLI AND GUISEPPE CORRADO CILLI

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1814]

The Committee on the Judiciary, to which was referred the bill (S. 1814) for the relief of Teresa Lucia Cilli and Guiseppe Corrado Cilli, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor children to be adopted by a citizen of the United States the status of nonquota immigrants, which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiaries of the bill are 15- and 14-year-old natives and citizens of Italy. Their mother is a native of Yugoslavia and was married to Sfc Joseph C. Smith on March 1, 1952. The family presently resides in Germany where Sergeant Smith is on duty with our Armed Forces. He expects to be reassigned to the United States in 1956, and is anxious to have the beneficiaries accompany him to this country. Their mother will be eligible to receive a nonquota immigration visa as the spouse of a United States citizen.

A letter, with attached memorandum, dated November 1, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 1, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1814) for the relief of Teresa Lucia Cilli and Guiseppe Corrado Cilli, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Washington, D. C., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien children pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act by providing that the children shall be considered the naturalborn alien children of a citizen of the United States.

As quota immigrants the children would be chargeable to the quota of Italy.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE TERESA LUCIA CILLI AND GUISEPPE CORRADO CILLI, BENEFICIARIES OF S. 1814

Information concerning this case was obtained from Sgt. Joseph C. Smith, stepfather of the beneficiaries.

The beneficiaries are natives and citizens of Italy. They were born in Messina, Italy, and have never been in the United States. Teresa Lucia Cilli was born on March 15, 1940, and Guiseppe Corrado Cilli was born on September 26, 1941. Their mother, Michela Cilli Smith, is a native and citizen of Yugoslavia. She was born on August 20, 1915, at Druzinska, Yugoslavia. The beneficiaries' fathers are unknown.

The beneficiaries' mother married Sfc. Joseph C. Smith, at Trieste, Italy, on March 1, 1952. He was born on December 19, 1925, in Cranston, R. I., and is a citizen of the United States. Sergeant Smith has been a member of the United States Army since September 19, 1943. His income is $3,400 yearly. The beneficiaries reside with their mother and stepfather in Patrick Henry Village, Heidelberg, Germany.

Senator Theodore Francis Green, the author of the bill, wrote to the chairman of the Senate Committee on the Judiciary under date of May 17, 1955, as follows:

UNITED STATES SENATE,
COMMITTEE ON RULES AND ADMINISTRATION,
May 17, 1955.

Senator HARLEY M. KILGORE,
Chairman, Senate Committee on the Judiciary.
(Attention: Subcommittee on Immigration.)

DEAR SENATOR KILGORE: With this letter I am sending you a copy of a letter sent me on May 12 by Sergeant Joseph C. Smith, a resident of Rhode Island who is presently stationed with the Army in foreign service.

Sergeant Smith's letter is self-explanatory as is the State Department letter of May 9, 1955, regarding S. 1814, the bill which I introduced for the relief of the children of Sergeant Smith's wife.

I trust in view of this serviceman's interest in having his wife's children considered his natural-born alien children that your committee will give prompt and sympathetic consideration to the bill in question.

Yours sincerely,

THEODORE FRANCIS GREEN

The letters referred to in Senator Green's letter read as follows:

HEADQUARTERS AND HEADQUARTERS COMPANY,
SPECIAL TROOPS, HEADQUARTERS USAREUR, 7888TH AU,
APO 403, May 12, 1955.

DEAR SIR: My wife and I received, with great joy, your letter concerning our children Joseph and Teresa. In the letter you asked for a brief about the children. Enclosed you will find a brief made up and given to us by the consulate general in Frankfurt, Germany. In the event you may require more information I will only be too happy to furnish you with any additional information you may desire.

My wife and I wish to thank you for your kind cooperation and prompt action in a matter that means so very much to both of us.

Sincerely yours,

JOSEPH C. SMITH.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Frankfort on the Main, Germany, May 9, 1955.

Sgt. JOSEPH C. SMITH,
Headquarters and Headquarters Company, Special Troops, Headquarters USAREUR, 7888th AU, APO 403, care of Postmaster, New York, N. Y.

SIR: Reference is made to the visa applications of your wife's two children, Teresa and Guiseppe.

A review of their dossier reveals that they are registered as visa applicants on the Italian quota as of April 4, 1955. As you know, the Italian quota is so heavily oversubscribed that it appears unlikely that the children's turns will be reached for visa issuance within 4 years.

It is noted that a bill, permitting them to be considered as your natural-born alien children, is now pending with the United States Senate. When this bill is enacted into law, you will be required to complete Department of Justice Form I-133, the approval of which accords them nonquota status.

As soon as the children have established their nonquota status, the consulate general is prepared to take immediate action on their visa applications. This will consist of your submission of these documents for each child: Two birth certificates, four passport photographs, and passports valid for entry into the United States. The documentation which has already been submitted need not be turned in a second time.

In the meantime, you may be sure that they are receiving every consideration consistent with the existing immigration law and regulations.

Very truly yours,

STEPHEN G. PERIALAS
(for the Consul General).

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1814) should be enacted.

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Calendar No. 1520

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1497

PANTELES KERKOS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1831]

The Committee on the Judiciary, to which was referred the bill (S. 1831) for the relief of Panteles Kerkos, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Panteles Kerkos. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is an 80-year-old native of Turkey and citizen of Canada who last entered the United States at Norton, Vt. on July 18, 1953, and presently resides with his United States citizen daughter in Waterville, Maine. It is stated that he is completely incapacitated and that this daughter takes care of his every need. Another daughter and a son are lawful residents of the United States. The beneficiary is a widower and has been a citizen of Canada for 43 years. It is also stated that in view of his advanced age and the poor condition of his health, it would be impossible for him to travel to Canada to obtain an immigrant visa.

A letter, with attached memorandum, dated December 8, 1955, to the chairman of the Senate Committee on the Judiciary from the

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Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington D. C., December 8, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1831) for the relief of Panteles Kerkos, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Portland, Maine, office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota for the first year that such quota is available.

The alien is chargeable to the quota of Albania.

Sincerely,

——— ———, *Commissioner*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE PANTELES KERKOS, BENEFICIARY OF S. 1831

Panteles Kerkos, a native of Turkey and a citizen of Canada, was born on March 28, 1875, in Hostava, Yanina, Albania, then a part of Turkey. He was married to Elane Toma in 1898 in his native country. His wife died in Montreal, Canada, in 1946. There are 3 living children, a son and 2 daughters. The alien resides with his daughter, Barbara Kerkos Economou, at 199 College Avenue, Waterville, Maine. This daughter became a citizen of the United States through naturalization at Augusta, Maine, on February 5, 1953. His other daughter and his son are lawful residents of the United States and reside in Portland, Maine.

The beneficiary attended a Greek school in Albania for about 1 year and attended night school in Montreal for a short period. By profession he is a tailor and was last employed in 1952 by Descheux Bros. in Montreal, Canada. He had worked for this firm since 1938 and his income was $2,000 yearly. He has no assets other than personal possessions and is entirely dependent upon his children for support. His only near relative abroad is a brother who resides in Canada. Mr. Kerkos resided in his native country until 1907 when he came to the United States. After residing in this country for a period of about 3 months, he migrated to Canada and became a citizen of that country in 1912. He resided in Canada until July 1953 except for making short visits to his native country and the United States.

Mr. Kerkos last entered the United States at Norton, Vt., on July 18, 1953, at which time he was admitted as a visitor for pleasure until January 12, 1954. He received extensions of stay, the last of which was to expire on October 12, 1955. On May 13, 1955, his status as a nonimmigrant was considered terminated and he was considered unlawfully in the United States because he was attempting to have his nonimmigrant status adjusted to that of a permanent resident and this was deemed an intent on his part to abandon his foreign domicile. Deportation proceedings were instituted on the ground that after admission to the United States as a nonimmigrant, he failed to maintain the nonimmigrant status under which he was admitted, to wit, a visitor for pleasure. He has not been accorded a hearing under the warrant of arrest due to the condition of his health.

A visa petition to accord the beneficiary second preference quota status under section 203 (a) (2) of the Immigration and Nationality Act was submitted by his daughter, Barbara Kerkos Economu, under date of March 4, 1955. It was returned on March 8, 1955, with instructions to designate therein the consulate where application was to be made for an immigrant visa, and to resubmit it with the required visa fee of $10. This petition has not been resubmitted to date. It appears that if Mrs. Economu will submit a proper petition and it is approved by this Service, the beneficiary may be able to adjust his status by applying to a United States consulate in Canada for an immigrant visa.

The beneficiary's children are the persons primarily interested in the bill.

Senator Margaret Chase Smith, the author of the bill, has submitted the following affidavit in support of the bill:

AFFIDAVIT

WATERVILLE, *August 9, 1955.*

STATE OF MAINE,
County of Kennebec, ss:

I, Mrs. Barbara Economu, of said Waterville, having been put on oath, depose and say:

That my father, Pantalis Kerkos, was born in Hoshteva, Argirokastro, Albania, on March 28, 1875;

That my father, Pantalis Kerkos, has been a widower since February 2, 1946;

That my father, Pantalis Kerkos, has been a Canadian citizen for 43 years;

That my father, Pantalis Kerkos, is 80 years old and is completely incapacitated, needing medical and personal care every hour of the day, such as insulin injections for his diabetic condition, and hourly care for his jaundice which was caused by gall-bladder condition, the aftermath of a gall-bladder operation;

That my father, Pantalis Kerkos, has also suffered the loss of his right eye due to complicated conditions arising from his operation;

That all the above medical facts can be verified by my father's personal doctors, namely, Dr. George J. Robertson, of 33 College Avenue, Waterville, Maine, and Dr. E. M. Cooper, of 1414 Drummond Street, Montreal, Canada.

Mrs. BARBARA K. ECONOMU.

Subscribed and sworn to before me,
[SEAL]

MARIE A. MACARTHUR.
Notary Public.

My commission expires December 15, 1961.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1831) should be enacted.

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Calendar No. 1521

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1498

PIETRO RODOLFO WALTER

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1883]

The Committee on the Judiciary, to which was referred the bill (S. 1883) for the relief of Pietro Rodolfo Walter, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child, Pietro Rodolfo Walter Stulin, the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 10-year-old native and citizen of Italy, who presently resides in Germany with his mother and stepfather, Sgt. Abraham N. Alvarez, a United States citizen and member of our Armed Forces. The beneficiary's mother married Sergeant Alvarez on May 17, 1950. Sergeant Alvarez states that he is the only father the beneficiary has known, and he wishes to keep his family together when he is returned to the United States.

A letter, with attached memorandum, dated November 3, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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I beg that you do all you can for me in this regard, as quickly as possible, so Pietro can come home with me. Please let me hear from you immediately so that I can at least be assured that you will do what you can for me.

My wife's heart and mine go out to you.

Yours truly,

ABRAHAM N. ALVAREZ,
Sfc, RA 38091519, Co. K, 22d Inf. Regt.,
APO 39, New York, N. Y.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1883) should be enacted.

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 3, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1883) for the relief of Pietro Rodolfo Walter Stulin, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act by providing that the child shall be considered the natural-born alien child of a United States citizen.

As a quota immigrant the child would be chargeable to the quota of Italy.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE PIETRO RODOLFO WALTER STULIN, BENEFICIARY OF S. 1883

Information concerning this case was obtained from Sgt. Abraham N. Alvarez, the beneficiary's stepfather.

Pietro Rodolfo Walter Stulin, a 9-year-old child, a native and citizen of Italy, was born on January 2, 1946, in Venice, Italy. He has never been in the United States. His father is unknown. His mother, Maria Stulin Alvarez, a native and citizen of Italy, was born on September 15, 1919, in Italy. The beneficiary resides with his mother and stepfather, Sfc. Abraham N. Alvarez, at Wetzlar, Germany.

Sergeant Alvarez is a citizen of the United States. He was born on March 4, 1914, at Yuma, Ariz. He has been a member of the United States Army since December 29, 1947. His salary is $2,700 per year. Sergeant Alvarez states he met the beneficiary's mother while he was stationed with the United States Army in Europe and they were married at Sistiana, Free Territory of Trieste, on May 17, 1950. Two children, Maria and George, were born of this marriage in Italy. They reside with their parents. No one in the United States is dependent upon Sergeant Alvarez for support.

Senator Barry Goldwater, the author of the bill, has submitted the following information in support of the bill:

APRIL 12, 1955.

Senator BARRY M. GOLDWATER,
United States Senate,
Washington, D. C.

DEAR SENATOR: I am Abraham N. Alvarez. At the present time I am serving with the Army in Germany. However, my address in the States is Post Office Box 885, Yuma, Ariz., 10th Street and 2d Avenue.

Sir, in order that you can understand my problem, let me give you a little of its background. In 1948 I was sent with the Army to Trieste. While there I met, fell in love with, and married Maria Stulin. My wife, who had never been married before, had a child, Pietro Rodolfo Walter. The child was 2 years old when I met my wife. He is now 9 years old. For these 7 years I have acted as this boy's father. I have loved him, supported him, been the only father he has ever known.

As time went on, I was sent back to the States, and then back to Germany. I am now due to return to the States in August. Recently I started seeing what had to be done to get Pietro a visa to the States. I have been in close contact with the visa section of the American consulate in Frankfurt. They have told me that because Pietro is Italian and illegitimate, and because he was not registered early enough to get a regular visa, that I cannot get him to the States for 3 or 4 years, if at all, unless Congress presses a special bill admitting him to the States. This is also true if I formally adopt Pietro, which may be impossible.

I therefore write to you, sir, my Senator, in the hope that you will try and have private legislation enacted that will get my boy Pietro into the States. If you cannot do this, sir, what will this child do; where will he go?

Calendar No. 1522

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1499

DR. FU-CHUAN CHAO (ALSO KNOWN AS FUK KUN CHIU) AND HIS WIFE, CHUI LAI YUK (ALSO KNOWN AS LAI YUK CHAO)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1950]

The Committee on the Judiciary, to which was referred the bill (S. 1950) for the relief of Dr. Fu-Chuan Chao (also known as Fuk Kun Chiu) and his wife, Chui Lai Yuk (also known as Lai Yuk Chao), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Fu-Chuan Chao (also known as Fuk Kun Chiu) and his wife, Chui Lai Yuk (also known as Lai Yuk Chao). The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are husband and wife and they are 36-year-old British subjects of the Chinese race. They last entered the United States on August 25, 1948, the male beneficiary as a student and the female beneficiary as a visitor. The male beneficiary is a medical doctor and from August 25, 1948, until June 29, 1953, he attended the University of California as a graduate student in biochemistry. From July 2, 1953, until July 1, 1955, he served as a research instructor in biochemistry at the Medical School of the

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University of Utah. He is now serving as a research fellow of the American Heart Association. It is stated that his higly specialized work will unquestionably contribute to the welfare of the people of the United States. The female beneficiary is not employed, but is a university graduate, having majored in chemistry and biology. The couple has two children born in this country who are citizens.

A letter, with attached memorandum, dated September 1, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 1, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1950) for the relief of Dr. Fu-Chuan Chao, also known as Fuk Kun Chiu, and his wife, Chiu Lai Yuk, also known as Lai Yuk Chao, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill would grant the beneficiaries permanent residence in the United States upon payment of the required visa fees. It would also direct that two numbers be deducted from the appropriate immigration quota.

The beneficiaries are chargeable to the quota for Chinese persons.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. FU-CHUAN CHAO AND CHUI LAI YUK, BENEFICIARIES OF PRIVATE BILL, S. 1950, 84TH CONGRESS

Dr. Fu-Chuan Chao, also known as Fuk Kun Chiu, and his wife, Chui Lai Yuk, also known as Lai Yuk Chao, were born in Hong Kong, British crown colony, February 8, 1919, and October 7, 1919, respectively, and are British subjects of the Chinese race. They were married in Canton, China, July 1, 1947, and now reside at 521 Marion Avenue, Palo Alto, Calif. Two United States born children, ages 4 and 1, reside with them.

Mr. Chao is a graduate of the Ling Nan University in Canton, China, and the University of California, Berkeley, Calif. He is presently engaged in biochemistry research in the Stanford University, Palo Alto, Calif., under a fellowship provided by the American Heart Association and the family receives their full support from the association. Mrs. Chao is also a graduate of the Ling Nan University where she majored in chemistry and biology. She is not gainfully employed at the present time. The family has assets consisting of approximately $4,400 in the bank, an automobile, and furniture valued at $1,000. Aside from their immediate family they have no relatives in the United States. Mr. Chao's parents and a brother and sister reside in Hong Kong. Mrs. Chao's father is deceased and her mother resides in Canton, China.

Mr. and Mrs. Chao arrived in the United States at San Francisco on the steamship *President Cleveland* August 25, 1948. Mr. Chao was admitted as a student under section 4 (c) and his wife was admitted as a visitor under section 3 (2) of the 1924 act. They remained in the United States beyond their authorized stay and deportation proceedings were instituted on September 4, 1952. They have been granted voluntary departure with an alternate order of deportation.

Senator Wallace F. Bennett, the author of the bill, wrote to the chairman of the Senate Judiciary Committee on June 2, 1955, as follows in connection with the bill:

UNITED STATES SENATE,
Washington D. C., June 2, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Immigration and Naturalization Subcommittee
Senate Office Building, Washington, D. C.

DEAR SENATOR KILGORE: I am enclosing two copies of the background statement of Dr. Fu-Chuan Chao and his wife, Chui Lai Yuk. This information is furnished your subcommittee in support of S. 1950 which I have introduced in their behalf.

You will note that this couple has two citizen children. Dr. Chao, as the statement indicates, has considerable technical training in biochemistry. In recognition of his skill the American Heart Association has awarded him a research fellowship which will commence on July 1, 1955.

I wish to recommend this couple for favorable consideration by your committee. Dr. Chao is in a position to make a very valuable contribution to this country. Should no relief be afforded this couple, the doctor's skills and services will be lost to our Nation in a period when our scientists are engaged in intensive research in this very field.

Thank you for your service in this matter.

Sincerely,

WALLACE F. BENNETT.

The statement referred to in Senator Bennett's letter reads as follows:

STATEMENT OF DR. CHIU FUK KUN (ALSO KNOWN AS FU-CHUAN CHAO) RE S. 1950

My immigration and naturalization file number is A–6962967.

I entered the United States with my wife, Chui Lai Yuk (also known as Lai Yuk Chao) at San Francisco, Calif., on August 25, 1948. I entered as a student and my wife entered as a visitor.

I was born February 8, 1919, in Hong Kong, British crown colony.

My family maintained a residence in Hong Kong, but up until 1938 I spent most of the time in Canton, China, where I attended elementary school, high school, and university. My address in Hong Kong was 16 Fung Wong Terrace.

From 1938 I was located and occupied as follows:

1938–41, I attended Ling Nan University in Hong Kong.

1941–42, I attended the Peking Medical School at Peking, China.

1943–45, I was in Shanghai employed as assistant chemist with the Great Eastern Experimental Station, doing sewage-treatment work.

1946–47, I was a graduate student and instructor in chemistry at Ling Nan University.

1947–48, I attended the Peking Medical College at Peking, China.

August 25, 1948, to June 29, 1953, I attended the University of California at Berkeley, Calif., as a graduate student in biochemistry.

July 2, 1953, to the present time, I have been connected with the University of Utah at Salt Lake City, Utah, where I have been and am at present a research instructor in biochemistry in the medical school at that university.

My addresses while in the United States have been as follows:

September 1948 to August 1949: 1809 Bonita Avenue, Berkeley, Calif.

September 1949 to January 1950, 1525 Bonita Avenue, Berkeley, Calif.

February 1950 to June 1951: 2155 Grant Street, Berkeley, Calif.

July 1951 to June 29, 1953: 2520 Channing Way, Apartment 8, Berkeley, Calif.

July 2–6, 1953: Top's Motel, Salt Lake City, Utah.

July 7, to August 15, 1953: 510 East Third S., Apartment 12, Salt Lake City, Utah.

August 16, 1953, to June 15, 1954: 1537 Sigma Avenue, No. 1 Stadium Village, Salt Lake City, Utah.

June 16, 1954, to present time: 1104 East Sixth S., Salt Lake City, Utah.

I have received a Bachelor of Science degree in biology from Ling Nan University, of Canton and Hong Kong, and have done graduate work at the Peking Medical College. In 1951 I received a doctor of philosophy degree in biochemistry from the University of California at Berkeley. In 1951 and 1952 I was a research fellow in biochemistry, and in 1952 I was a junior research biochemist in the virus laboratory, all at the same university. Since July of 1953 to the present time I have been a research instructor in biochemistry at the University of Utah.

I have been awarded a research fellowship with the American Heart Association starting July 1, 1955. This will be pursued at Stanford University under the direction of J. Murray Luck, professor of biochemistry at that university.

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This is a 1-year award, but such awards are generally extended for at least a second year.

China and the United States are the only countries I have lived in or visited.

I have no adverse police record of any kind.

I married Chui Lai Yuk (also known as Lai Yuk Chao) at Canton, China, 1947. I have two children, both of which were born in the United States: Francis Wai-Fung, born May 21, 1951, and Shirley Wai-Fan, born July 12, 1954.

I am a fourth-generation Christian and am a member of the Baptist Church, although I have not formally affiliated with a church in the United States.

Information concerning my immediate family is as follows:

Father, Chui Yan Tzi, 2016 College Avenue, Huntington, Ind., pastor, Huntington College, Huntington, Ind.

Mother, Wan Kwei Ching, last known address 17 Tze Bui Tung Chung, Canton, China. I have not heard from her since 1949 and it may be that she is now in Hong Kong.

Brother, Paul Chiu, 546 Lockhart Road, Hong Kong, British Crown Colony, teacher in primary school.

Sister, Mrs. Dorothy Au, 834 East Fairmont Road, Burbank, Calif. She is a medical doctor, as is her husband, Kit Man Au. She is a United States citizen.

Sister, Mrs. Christine Luke, 546 Lockhart Road, Hong Kong, British Crown Colony.

I am able to support myself and family, and I have been assured, and the attached letters will confirm it, that I will never have any difficulty in obtaining gainful employment inasmuch as men of my particular training are in short supply.

I have never been a member of any organization having ideals or purposes contrary to those of the United States and its form of government. It is my intention, if granted permanent residence to obtain citizenship at the earliest possible date.

It is humbly submitted that I believe that my training and ability will enable me to make a worthwhile contribution to the medical science of this country. Particularly I believe that my services may be of substantial value to this country in connection with my forthcoming work with the American Heart Association in the study of degenerative diseases.

It is respectfully requested that the legislation introduced in my behalf receive favorable consideration. Attached hereto are the following copies of letters and statements concerning me:

(*a*) Letter dated May 10, 1955, from Dr. Robert A. Sproul, president, University of California.

(*b*) Letter of appointment from the American Heart Association.

(*c*) Letter dated May 4, 1955, from G. Homer Durham, vice president, University of Utah.

(*d*) Letter dated May 3, 1955, from Dr. Marvin D. Armstrong, associate research professor, biochemistry, University of Utah.

(*e*) Letter dated May 4, 1955, from Dr. Leo T. Samuels, head, department of biochemistry, University of Utah.

(*f*) Letter dated May 3, 1955, from Dr. Philip B. Price, acting dean, college of medicine, University of Utah.

(*g*) Letter May 5, 1955, from W. M. Stanley, director, virus laboratory, University of California, Berkeley, Calif.

(*h*) Letter dated May 5, 1955, from David M. Greenberg, professor and chairman, department of psychological chemistry, school of medicine, University of California, Berkeley, Calif.

(*i*) Letter dated May 5, 1955, from Dr. J. Murray Luck, professor, biochemistry, department of chemistry, Stanford University.

(*j*) Police clearance from Berkeley, Calif.

(*k*) Police clearance from Salt Lake City, Utah.

(*l*) Certificate from consulate general of the Republic of China, San Francisco, Calif.

(*m*) Letter dated May 23, 1955, from Henry S. Frank, head, department of chemistry, University of Pittsburgh, Pittsburgh Pa.

Dated this 28th day of May 1955.

FU-CHUAN CHAO.

STATE OF UTAH,
County of Salt Lake, ss:

Fu-Chuan Chao (also known as Chiu Fuk Kun), being first duly sworn, upon his oath deposes and says: That he is the person who executed the foregoing

statement; that he has read the same, knows the contents thereof and that the matter stated therein are true to his knowledge.

FU-CHUAN CHAO.

Subscribed and sworn to before me this 28th day of May 1955.

[SEAL] MARGUERITE GEORGE,
Notary Public, Residing at Salt Lake City, Utah.

My commission expires October 21, 1958.

The material referred to in the above statement reads, in part, as follows:

THE UNIVERSITY OF CALIFORNIA,
May 10, 1955.

Hon. WALLACE F. BENNETT,
Senate Office Building, Washington, D. C.

DEAR SENATOR BENNETT: In support of a private bill on behalf of Dr. Fu-Chuan Chao, I wish to make the following statement:

In 1951 Dr. Chao received the degree of doctor of philosophy from the University of California, beginning his graduate training at this University in 1948 in the department of biochemistry. He served the university after the award of his degree, in a research capacity in the department of biochemistry, until July 1953, when he began the work at the University of Utah on which he is now engaged. Highly trained in the fields of chemistry and biochemistry at the University of California, he received specialized training in the use for medical research of radioactive isotopes and the operation of the ultracentrifuge and the electrophoresis apparatus. The unusual skills he acquired in the course of his graduate studies and later research at this university are of great value in the study of disease problems and should enable him to contribute substantially to determining the causes of the degenerative diseases of which he is now studying the basic nature at the University of Utah. This basic study, in the light of his highly specialized training and experience, may well lead also to improved methods of treatment of these diseases, and will unquestionably contribute to the welfare of the people of the United States. It is my opinion, therefore, that Dr. Chao's services are urgently needed in this country.

Yours sincerely.

ROBERT GORDON SPROUL,
President.

UNIVERSITY OF UTAH,
Salt Lake City, May 3, 1955.

Senator WALLACE F. BENNETT,
Senate Office Building, Washington, D. C.

DEAR SENATOR BENNETT: This letter is written in support of Dr. Fu-Chuan Chao, who is seeking for aid from your office in his attempt to become a naturalized American citizen.

I am an associate research professor of biochemistry in the University of Utah College of Medicine, and work in the laboratory for the study of hereditary and metabolic disorders on fundamental biochemical problems in connection with studies of muscular dystrophy and of mental deficiency Dr. Chao has been working with me for the past 2 years in this field.

In my opinion, there can be little question as to the value to the country of a person with Dr. Chao's background or as to his ability to continue to support himself. He did his graduate work under Dr. D. M. Greenberg in the department of physiological chemistry at the University of California. His record there was excellent, and he spent 2 more years doing research at the University of California after he received the doctor of philosophy degree. At the present time there is in this country a marked shortage of people with his training. Dr. Chao's work here for the past 2 years has been satisfactory, but his main research interest is in a field which we do not pursue in this laboratory. Consequently, he has obtained a fellowship from the American Heart Association, which is customarily given to recipients for 2 years, and has arranged to carry out his research with Dr. J. Murray Luck, Stanford University, on the physical chemistry of ribose nucleoproteins. This is a field which is of great interest today to researchers doing fundamental work on cancer. When he leaves here, we will have openings for two more biochemists in this laboratory and will probably have difficulty in filling them in the immediate future because of the present shortage.

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I have come to know Dr. Chao well in the 2 years he has been here. Personally, he is a very pleasant, quiet individual of a very conservative nature. There has been absolutely no indication of anything that would lead one to question his loyalty to this country or to the ideals of this country. He has a sister who is a medical doctor working in Los Angeles, who has already become an American citizen. Dr. Chao is actually a rather unaggressive person whose present difficulty lies in the fact that he has not bent all his efforts since he has been in this country to pushing through his attempts to become a citizen.

He will have been in this country 7 years this August. If the deportation order, which is due to become effective in July, is carried out it will create a critical state of personal hardship for him. He has 2 children, a boy aged 3 and a girl aged 1, both born in this country. If he is forced to return to Hong Kong there will be almost no chance of his being able to do work in the field for which he has been trained, and in which there is a shortage in this country.

I hope you will be able to act favorably on his petition and to intercede in his behalf.

Sincerely yours,

MARVIN D. ARMSTRONG,
Associate Research Professor, Biochemistry.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1950) should be enacted.

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Calendar No. 1523

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1500

YVONNE MARY FLORESCU (SISTER JOHN BAPTIST)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1953]

The Committee on the Judiciary, to which was referred the bill (S. 1953) for the relief of Yvonne May Florescu (Sister John Baptist), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Yvonne Mary Florescu (Sister John Baptist). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 28-year-old native of Rumania and citizen of Great Britain who last entered the United States as a visitor on January 4, 1952. She is a religious sister and is presently engaged as an instructor at the Convent of St. Walburga, Boulder, Colo. It is stated that her services are needed there.

A letter, with attached memorandum, dated July 19, 1955 to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 19, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1953) for the relief of Yvonne Mary Florescu (Sister John Baptist), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared by the Denver, Colo. office of this Service, which has custody of those files.

The bill would grant this alien the status of permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Rumania.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING YVONNE MARY FLORESCU (SISTER JOHN BAPTIST), BENEFICIARY OF S. 1953

Yvonne Mary Florescu (Sister John Baptist), a citizen of Great Britain, was born in Bucharest, Rumania, on March 13, 1927. She resides at Route 1, Boulder, Colo.

The beneficiary is a religious sister and has been engaged as an instructor at the Convent of St. Walburga, Boulder, Colo., since January 1952. She receives no income and has no assets. She holds bachelor of arts and master of arts degrees, conferred by Oxford University.

Miss Florescu has a brother in the United States, a professor at Boston College. Another brother lives in Arabia and her parents reside in France.

The beneficiary was admitted to the United States on January 4, 1952, as a visitor on business for 6 months. She has been granted several extensions of stay, the last of which expired on June 1, 1955.

Senator Gordon Allott and Senator Eugene D. Millikin, coauthors of the bill, have submitted the following information in connection with the case:

CONVENT OF ST. WALBURGA.
Boulder, Colo., December 6, 1955.

Senator GORDON ALLOTT,
United States Senate,
Committee on Labor and Public Welfare.

DEAR SENATOR: Thank you for your continued interest and the trouble you have taken on our behalf. Besides the manual work in which all take part, Sister John Baptist gives classes in Latin and English to the members of our community, and instructs the children of our parish in religion.

Since we are all from Germany and do not yet possess the English language well enough, Sister John Baptist is very invaluable to us, and to me personally as she acts as my secretary. Moreover, having an Oxford master of arts, Sister John Baptist is the only one who can fill an educational post. It is necessary that we should be able to provide candidates who join us in this country with educational possibilities, and since our survival depends upon receiving American-born candidates, Sister John Baptist is to us for the moment an invaluable asset.

Thanking you once more for everything and wishing you a joyful Christmas, I am

Gratefully yours,

(Signed) MOTHER M. GERTRUDE, O. S. B.

CONVENT OF ST. WALBURGA,
BENEDICTINE SISTERS,
Boulder, Colo., March 25, 1955.

Senator GORDON ALLOTT,
United States Senate, Washington, D. C.

DEAR MR. ALLOTT: Thank you for so kindly offering to help us. It would be a relief to us and to Sister John Baptist if we could get her future settled, through a permit to reside in the United States.

Sister John Baptist (Yvonne Mary Florescu) came to us for her religious training, on a visitor's visa, in 1952 on her British passport. Her training being over, Sister John has filled a very invaluable post for which, seeing her education, we would have no substitute. Up to now, we have been securing temporary extensions every 6 months from the Immigration Office in Denver. The last one we secured will expire in June.

Sister John Baptist was born in Bucharest Rumania, on March 13, 1927. Her father served in the Royal Rumanian Diplomatic Service up to the rupture of the diplomatic relations between the allied countries and Rumania in 1941. Being at that time at the Rumanian Legation in London, Mr. Florescu decided to stay in England for the safety and education of his children.

On completing her education at Oxford, Yvonne Florescu took up British nationality. At this point she entered our religious community in England, and according to the decision of our superior general, herself an American citizen, she was sent to us in Colorado, where it was decided, granted the permission of United States immigration laws, that it would be best for her to stay.

We would be very grateful if a solution could be found, similar to that which was granted to Sister John Baptist's brother, Radu Florescu, through the kind intervention of Senator Bray.

Sister John Baptist is holder of British passport No. 1648, issued at the Foreign Office in London on November 9, 1951, due to expire on November 9, 1956. Her American visa was issued at the United States Embassy on November 20, 1951, No. 6061. Her file number at the Denver Immigration Office V 845 114. We would send the papers together with any other information that would be required.

Thanking you once more,
Yours sincerely,

MOTHER GERTRUD, O. S. B.

The order in Boulder, Colo., to which Sister John Baptist belongs, operates farm and the Convent of St. Walburga.

These nuns came from Germany as refugees from Hitler and Nazi Germany. These sisters operate a dairy farm which is self-sustaining. They do all the manual labor—no outside labor is hired.

They are very poor and work very hard. When they came over from Germany, they had no funds. They did their own construction work, mixed the concrete and did all the labor themselves. As stated before, they support themselves. Their whole operation is self-sustaining.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1953) should be enacted.

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Calendar No. 1524

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1501

KIM BOKSOON

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1970]

The Committee on the Judiciary, to which was referred the bill (S. 1970) for the relief of Kim Boksoon, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable the fiance of a United States citizen veteran of our Armed Forces to enter the United States for the purpose of marrying her citizen fiance and to thereafter reside in the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 22-year-old native and citizen of Korea presently residing in Seoul, Korea, where she is employed as a waitress. It is believed that her parents were victims of the Korean war. She is engaged to a 28-year-old citizen of the United States who presently resides with his parents in Henderson, Ky. He is employed by the Chrysler Corp. at Evansville, Ind. He met the beneficiary in 1953 at Seoul, Korea, while serving in the United States Army and they became engaged prior to his return to the United States. His parents have stated that the beneficiary will be welcomed into the family.

A letter, with attached memorandum, dated December 8, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 8, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1970) for the relief of Kim Boksoon, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Cincinnati, Ohio, office of this Service, which has custody of those files.

The bill would provide that the beneficiary may be issued a visa, as a nonimmigrant temporary visitor for a period of 3 months, provided she is coming to the United States with a bona fide intention of being married to her United States citizen fiance, Alexander Adams, Jr., and she is found to be otherwise admissible.

The bill would further provide that in the event the marriage occurs within 3 months after the beneficiary enters the United States, a record of her lawful admission for permanent residence shall be created upon payment of the required visa fee. In the event the marriage does not occur within 3 months after the entry of the beneficiary, she shall be required to depart from the United States and upon failure to do so, shall be deported.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING KIM BOKSOON, BENEFICIARY OF S. 1970

Information concerning the case was obtained from Mr. Alexander Adams, Jr., fiance of the beneficiary.

The beneficiary was born on August 17, 1933, and is a native and citizen of Korea. She is single and resides in Seoul, Korea, where she is employed as a waitress. No information is available concerning her present income or her educational background. Her parents are believed to have been victims of the Korean war.

Mr. Alexander Adams, Jr., a citizen of the United States, was born on February 20, 1927, and is presently residing with his parents at Henderson, Ky. He is employed by the Chrysler Corp. at Evansville, Ind., and earns $250 per month. Mr. Adams served in the United States Army from March 1953 until he was honorably discharged with the rank of corporal on January 25, 1955. Prior to his service in the Army, he completed 2 years of a prelaw course at Evansville College, Evansville, Ind., and attended law school at the University of Louisville, Louisville, Ky., for one semester.

Mr. Adams has testified that he met the beneficiary in 1953 at Seoul, Korea, and became engaged to her prior to his return to the United States. He states that he intends to marry the beneficiary as soon as possible after her arrival in the United States. The parents of Mr. Adams have indicated that the beneficiary will be welcomed into the family.

Senator Alben W. Barkley, the author of the bill, has submitted the following information in support of the bill:

UNITED STATES SENATE,
Washington, D. C., January 16, 1956.

Re S. 1970, Kim Boksoon

SUBCOMMITTEE ON IMMIGRATION, COMMITTEE ON THE JUDICIARY
Senate Office Building, Washington, D. C.:

I regret that I have not sooner sent supporting information on the above bill, which I introduced in the last session of Congress, May 13, 1955. This would permit a nonimmigrant visa for Miss Boksoon to marry Alexander Adams, Jr.

Mr. Adams is a Kentuckian, his home being at Henderson, Ky. Mr. Adams is a reliable citizen of a substantial family, and has been endeavoring since his tour of duty and return to the United States to gain entrance for his fiance in order that they may be married.

I am attaching two letters from the parents of Alexander Adams, Jr., concerning their efforts, approval of the marriage, and desire to help their son in every way.

If more detailed information is necessary, I am sure that the parents can supply same from local interested parties.

I should be glad to be kept advised of the progress of the bill.

Sincerely yours,

ALBEN W. BARKLEY.

HENDERSON, KY., *March 23, 1955.*

Mr. ALBEN BARKLEY,
United States Senate, Washington, D. C.

SENATOR: Our son Alexander Adams, Jr., recently returned from a tour of duty in the Armed Forces in Korea.

While there he fell in love with a South Korean girl.

Returned to the States hoping to gain entrance to the States for her so they may get married. Finds that due to the McCarran Act, this is impossible.

The only solution the State Department offers is through quota which may take 5 years; or return to Korea, marry the girl, then petition the State Department for entrance as dependent spouse which would take much time and money.

It would seem from this that only solution in a act of Congress to admit this girl to the States.

Knowing that through your long years as a Member of the legislative body, you might be able to help a neighbor from Henderson, Ky.

Hoping that you may help us in this matter, we remain,

Mr. and Mrs. ALEXANDER ADAMS, Sr.

This appeal has been made to the President but no reply; to Senator Lehman, who seems would like to help, to Congressman Natcher, who referred it to State Department with who we had been in contact to no avail.

So, thanks again.

Mr. and Mrs. ALEXANDER ADAMS, Sr.

HENDERSON, KY., *April 25, 1955.*

United States Senator ALBEN W. BARKLEY.

Mr. BARKLEY: We are sending you the information you requested in your letter of April 5, 1955, the girl's name, age, address, and nationality:

Kim, Boksoon; age, 21; nationality, South Korean; address, Seoul, Korea; Yong Dong Po Goo Moon, Nea Dong, 324 Bungi.

The boy's name: Alexander Adams, Jr.; age 28; race American; address, 516 Ray Street, Henderson, Ky.

Mr. Barkley, written words cannot express the gratitude for your interest in our son's behalf, that we feel. If through your efforts this union of two young people comes to pass, you may be assured that it will be that your wish is our command.

With best wishes and hopes all will end well and speedily, we remain,

Mr. and Mrs. ALEXANDER ADAMS, Sr.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1970) should be enacted.

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Calendar No. 1525

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1502

NICOLAS HERNANDEZ-VALENCIA

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2035]

The Committee on the Judiciary, to which was referred the bill (S. 2035) for the relief of Nicolas Hernandez-Valencia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Nicolas Hernandez-Valencia. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill, inasmuch as the beneficiary is entitled to nonquota status as a native of Mexico.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native and citizen of Mexico who last entered the United States illegally in 1953 shortly after he had been deported to Mexico. He was married on June 20, 1953, to a widowed Mexican woman in this country and they have a United States citizen child. It is stated that 6 of his wife's 10 children are dependent upon the beneficiary for support. It is also stated that the beneficiary has a steady job and a good reputation and that his deportation would cause undue financial hardship on his wife and the seven children.

A letter with attached memorandum, dated July 18, 1955 to the chairman of the Senate Committee on the Judiciary from the Com-

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missioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 18, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 2035) for the relief of Nicolas Hernandez-Valencia, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE NICOLAS HERNANDEZ-VALENCIA, BENEFICIARY OF S. 2035

The beneficiary, Nicolas Hernandez-Valencia, a native and citizen of Mexico, was born on July 13, 1923. He was married on June 20, 1953, and has one United States citizen child. His wife has 10 children by a previous marriage, 6 of whom are dependent upon the beneficiary for support. He resides with his family at 320 Gross Street, Joliet, Ill.

Mr. Hernandez-Valencia has no education and is employed as a railroad section laborer at a salary of about $225 per month. He has no assets. His mother, brother, and two sisters reside in Mexico.

The beneficiary has made at least five entries into the United States. He was arrested in deportation proceedings on three occasions and permitted to return voluntarily to Mexico. On December 4, 1952, he was arrested and deported to Mexico. His last entry into the United States was during January or February of 1953, shortly after his deportation, when he entered illegally near Eagle Pass, Tex. Deportation proceedings were instituted on June 12, 1953, on the grounds that he was an immigrant without proper documents and that he had entered at a place not designated as a port of entry. The special inquiry officer entered an order on August 20, 1953, that he be deported from the United States and a warrant of deportation was issued on September 9, 1953. There is apparently no administrative relief available to the beneficiary at this time.

Mr. Hernandez-Valencia has had no military service and is not required to be registered under the Universal Military Training and Service Act.

It appears that the interested party in this bill is the beneficiary's wife, Bridgida, a native and citizen of Mexico, who was born on October 4, 1911.

Senator Paul H. Douglas, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
October 17, 1955.

Re S. 2035, for the relief of Nicolas Hernandez-Valencia.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR KILGORE: In support of the above-named bill, please permit me to submit the attached information.

Mr. Hernandez is a Mexican national who made an illegal entry to the United States on February 20, 1953. In June of 1953 Mr. Hernandez married a widow who had six children, and there is now an infant son of this marriage. Mr. Hernandez is the sole support of his wife, their son, and the six stepchildren. He is steadily employed, and enjoys a reputation for being interested in his family, honest and respectable.

An order of deportation is pending against the beneficiary of this bill and should he have to leave this country it would cause extreme hardship on his dependents, as the eldest stepchild is a girl who is in her first year of high school and the other children are unable to contribute materially to the family's maintenance.

In view of what would become the family's plight should Mr. Hernandez be deported, I earnestly hope that your committee will find it possible to report favorably on this bill, S. 2035.

With kind regards,

Sincerely yours,

PAUL H. DOUGLAS.

OFFICE OF THE SHERIFF,
WILL COUNTY,
Joliet, Ill., May 3, 1955.

Re Nicolas Hernandez-Valencia, Joliet, Ill.

To Whom It May Concern:

The records of this office reveal that the above-named subject has no criminal record on file except that he was arrested and held for the Department of Justice on December 2, 1952, and I understand that at that time he was deported for illegal entry into the United States.

Very truly yours,

ROY C. DOERFLER, *Sheriff.*

JOLIET, *May 6, 1955.*

To Whom It May Concern:

This is to certify that Nicolas Hernandez has been employed by A. T. & S. F. Railway Co. since January 28, 1954, and has steady employment here.

He is a laborer in track department.

A. T. & S. F. RAILWAY CO.,
By G. H. LYNNONDS, *Roadmaster.*

ST. MARY'S CHURCH,
Joliet, Ill., May 3, 1955.

To Whom It May Concern:

This letter is being written in the interest of Mr. Nicolas Hernandez, of 320 Gross Street, Joliet, Ill.

I regret that I have had but a limited personal contact with Mr. Hernandez. He seems to be a good-living man, reliable in his employment, interested in his family, and generally honest and respectable. In spite of my limited knowledge of Mr. Hernandez, I know that there are others who share the same good opinions of the man.

For some time now Mr. Hernandez has been the sole support of his wife, infant son, and six stepchildren. The oldest stepchild is in her first year of high school, so that none of the children are in a position to provide an income for the family. Regarding the family's home, possessions, and present income, they are poor, and an extreme hardship would be caused by the proposed deportation of Mr. Hernandez. The children are about average in their mental ability and their conduct, and I know that Mrs. Hernandez has worked very hard to care for the family in every way possible under the circumstances. To deprive the wife and children not only of the financial income but of the other necessary help of the husband and father would make the maintaining of the home an almost impossible task for his wife.

With these rather extreme circumstances in view, I would trust that every available means, within the law, would be used to prevent the deportation order now pending against Mr. Nicolas Hernandez from being carried out.

Sincerely yours,

FATHER VALENTINE,
Order of Carmelite.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2035) should be enacted.

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Calendar No. 1526

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1503

ADELE KNOFF AND HER MINOR CHILD, HANS KNOFF

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2037]

The Committee on the Judiciary, to which was referred the bill (H. R. 2037) for the relief of Adele Knoff and her minor child, Hans Knoff, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Adele Knoff and her minor child, Hans Knoff. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are mother and son, and they are 51- and 13-year old natives of Russia and Poland, respectively. The beneficiaries are citizens of Germany. They last entered the United States on December 1, 1953, as visitors, and reside with the adult beneficiary's niece, who is a citizen of the United States. The citizen niece is employed and supports the beneficiaries. In return, the female beneficiary assists in the care of the home, as well as her niece's child. The citizen niece is divorced and states that it would be difficult to keep her home together if the beneficiaries are not permitted to remain in this country.

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A letter, with attached memorandum, dated July 18, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization, with reference to the case, reads as follows.

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 18, 1955.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 2037) for the relief of Adele Knoff and her minor child, Hans Knoff, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Chicago, Ill., office of this Service, which has custody of those files.

The bill would grant the beneficiaries permanent residence in the United States upon payment of the required visa fees. It would also direct that the required numbers be deducted from the appropriate immigration quota or quotas.

The adult beneficiary is chargeable to the quota of the Union of Soviet Socialist Republics and the minor beneficiary to the quota of Poland.

Sincerely,

——— ———, *Commissioner.*

Hon. HARLEY KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ADELE KNOFF AND HER MINOR CHILD, HANS KNOFF, BENEFICIARIES OF S. 2037

The adult beneficiary, Adele Knoff, a native of Russia and citizen of Germany, was born on July 22, 1904. She has never been married. Her minor child, Hans Knoff, a native of Poland and citizen of Germany, was born on April 18, 1942. The beneficiaries reside at 6939 South Normal Boulevard, Chicago, Ill.

Adele Knoff has the equivalent of a high-school education and 6 years of practical nurse training. Her usual occupation was that of an office clerk. She has not been employed while in the United States except occasionally as a baby sitter. The minor beneficiary, Hans Knoff, is a student. The beneficiaries have no assets and no close relatives.

The beneficiaries' only entry into the United States was as visitors at New York, N. Y., on December 1, 1953. Deportation proceedings were instituted on June 10, 1955, on the ground that they failed to comply with the conditions of their admission. The special inquiry officer entered an order on June 27, 1955, granting them the privilege of departing voluntarily from the United States with the proviso that failure to depart would result in an order of deportation. There appears to be no form of administrative relief available to the beneficiaries at this time.

It appears that this bill was introduced through the efforts of Mrs. Judith Balcom, niece of Adele Knoff. She is a naturalized citizen of the United States, has one child, and is employed as a clerk-typist at a salary of about $46 per week. She also receives $157 per month support from her former husband and has assets of about $800. Mrs. Balcom provides support and housing for the beneficiaries and has stated she will continue to support them.

Senator Paul H. Douglas, the author of the bill, wrote to the chairman of the Senate Judiciary Committee on October 17, 1955, in connection with the bill:

UNITED STATES SENATE,
October 17, 1955.

Re S. 2037, for the relief of Adele Knoff and her minor child, Hans Knoff

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary, United States Senate,
Washington, D. C.

MY DEAR SENATOR KILGORE: For the full information of your committee, please permit me to submit the attached data in support of S. 2037.

Mrs. Adele Knoff was born in Baku, Russia, and raised as a German citizen. Her son, Hans, was born April 8, 1942, at Lodz, Poland. The beneficiaries of

this bill arrived in this country from Germany on December 1, 1953, to visit Mrs. Knoff's niece, who is a citizen of the United States. Mrs. Judith Balcom, the niece, had been advised by the Chicago Immigration Service office that Mrs. Knoff's entry as an immigrant would be difficult and slow to obtain under the Russian quota, and that her arrival could be greatly hastened by requesting a visitor's visa with the intention of obtaining adjustment to permanent residence in this country after her arrival here.

Sbusequently, Mrs. Balcom again visited the Immigration Service office in Chicago and was told that Mrs. Knoff was not eligible for permanent residence, and that she and her son must depart and apply for reentry as refugees.

Both Mrs. Knoff and Hans would appear to have become integrated into their community in Chicago, and Mrs. Knoff keeps house for her employed niece and her niece's small daughter, as well as for her own son, Hans. Mrs. Knoff is without funds with which to return to the United States if she and her son are obliged to leave this country and, indeed, she has no one and nothing to go back to.

I sincerely hope that your committee will report favorably on S. 2037 to permit Mrs. Knoff and her son to remain in the United States permanently.

With kind regards,

Sincerely yours,

PAUL H. DOUGLAS.

The information referred to in Senator Douglas' letter reads, in part, as follows:

MAY 9. 1955.

Hon. PAUL H. DOUGLAS,
United States Senator,
United States Courthouse, Chicago, Ill.

DEAR SENATOR DOUGLAS: Through your last campaign I learned how very inspiring you are. You not only presented the voice of the people of the United States, but the people of the world. As a devoted admirer of you and the Democratic Party, I turn to you with hope that you may be able to help me in my problem.

As a citizen of X-Latvia I married an American officer in 1948 in Europe, with him I reached the United States the following year. In 1952 I became a proud and happy American citizen, but as destiny sometimes seems to turn to the worse, following a separation we got divorced. I received full custody of our little girl, who is now 4 years old.

When I came to America on August 9, 1949 I had an Aunt Adele Knoff then living in Landsberg/Lech, West Germany with her son Hans, who is now 13 years old. I wanted her to come to America but the fact that she was born in Baku, Russia (July 22, 1904) raised in the Baltic States and a German citizen made it hopeless to wait for a Russian quota, under which she is classified by the Immigration Office. Mrs. Knoff was at all times and is now completely opposed to communism. She is ready and willing to put this in writing and to take a loyalty oath whenever asked. The Immigration Office advised me at that time that if I wanted her to come sooner, I could have her come as a visitor and once she is here all other formalities could be made from here in order to make her stay legal. So I started proceeding papers for the visitors visa and in space of 6 months my Aunt and her son were able to sail from Germany to America and to me in Chicago, that was in December 3, 1953.

Shortly after her arrival I visited the Immigration Office again, it was then that I was informed and faced with an entirely different problem. No visitors, with exception of very close relation to the sponsor can remain in this country, and then the fact that my aunt happened to be born in Russia made it more impossible. All they could tell me was to send her back and to let her return as a refugee, under which quota she should have come here in the first place, if I only would have known this.

All I was able to do so far is to have her visitor's visa extended twice and this expires in May 1955. According to the Immigration Office I cannot get any more extensions. Since I am working, my aunt is the only one who keeps my home together. She takes care of my little girl and her son attends a Lutheran school here and is doing well. It would be very difficult for all of us if she had to go back, because she has no one and nothing to go back to. Since I cannot spare the expense to have her and her son travel back and forth and it is not in my power to help her stay, I just hope for a miracle.

This is my story and present situation for which I am willing to fight, if a chance could be granted to me. As a last resort I am writing you with hope

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that you would be kind enough to help me and my family in my difficulty. Your kindness in this matter will be greatly appreciated.

Yours sincerely,

JUDITH BALCOM,
Chicago, Ill.

ST. PAUL EVANGELICAL LUTHERAN CHURCH,
Chicago, Ill., May 7, 1955.

To Whom It May Concern:

I have known Mrs. Adele Knoff, 7033 Indiana Avenue, Chicago, Ill., for approximately 1 year.

During this time she has been a faithful member of my parish.

I have found her to be reliable, trustworthy, and industrious, and would consider her an asset to our community.

Very truly yours,

Rev ROBERT F. KAMPHOEFNER,
Pastor.

ST. PAUL EVANGELICAL LUTHERAN CHURCH,
Chicago, Ill., May 7, 1955.

To Whom It May Concern:

My acquaintance with Hans Georg Knoff, son of Mrs. Adele Knoff, 7033 Indiana Avenue, Chicago, Ill., dates to his enrollment in our parochial school in September 1954.

I have found that he adjusts himself well to our way of life, that he has no difficulty forming friends and acquaintances, and that his entire demeanor reflects good home training.

Very truly yours,

Rev. ROBERT F. KAMPHOEFNER,
Pastor.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2037) should be enacted.

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Calendar No. 1527

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1504

DEMETRIOS K. GEORGARAS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2052]

The Committee on the Judiciary, to which was referred the bill (S. 2052) for the relief of Demetrios K. Georgaras, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Demetrios K. Georgaras. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 23-year-old native and citizen of Greece, who last entered the United States on November 8, 1951, as a visitor. After his admission, the beneficiary received treatment for injuries to his legs, caused by falling while fleeing from the Communists. His condition is now much improved. The beneficiary has been willed a one-sixth interest in a ranch by his uncle, which is valued at more than $73,000. Under the terms of the will, he is prohibited from selling his interest for 10 years, and the beneficiary now works on the ranch and shares in the profits.

A letter, with attached memorandum, dated July 7, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C, July 7, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request to the Department of Justice for a report relative to the bill (S. 2052) for the relief of Demetrios K. Georgaras, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Portland, Oreg., office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Greece.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DEMETRIOS K. GEORGARAS, BENEFICIARY OF S. 2052

The beneficiary was born on January 12, 1932, in Nestani, Mantinias, Greece, and is a citizen of Greece. He is single and resides in Helix, Oreg. He is employed as a laborer on a 19,000-acre wheat and cattle ranch in which he owns a one-sixth share inherited from an uncle. Beneficiary's share of the propery is valued at $73,578,48. Beneficiary shares in the profits derived from the operation of the ranch.

The beneficiary's educational background consists of attendance at schools in Greece for 12 years and part-time attendance in schools in Chicago, Ill., to learn English. His parents and one brother reside in Greece. He has 10 cousins residing in Chicago. His last residence abroad was in Nestani, Greece.

The beneficiary was admitted to the United States as a visitor for pleasure on November 8, 1951, at New York, N. Y. His last extension of temporary stay expired on April 20, 1955. A warrant of arrest dated April 22, 1955, was served on the beneficiary on that date, charging that after admission to the United States as a visitor for pleasure he failed to comply with the conditions of such status. On June 8, 1955, he was accorded a hearing in deportation proceedings, and it was ordered that he be deported from the United States. He has filed an appeal from the deportation order to the Board of Immigration Appeals in Washington, D. C.

The beneficiary has been registered under the Universal Military Training and Service Act.

Mr. Georgaras is also the beneficiary of private bill H. R. 4183, 84th Congress.

Senator Wayne Morse, the author of the bill, has submitted numerous letters and documents in support of the bill, among which are the following:

UNITED STATES SENATE,
May 31, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Judiciary Committee,
United States Senate, Washington, D. C.

DEAR SENATOR: On May 24 I introduced S. 2052 on behalf of Demetrios K. Georgaras (also known as James Georgaras) and enclosed is a file of correspondence relating to his case. A bill, H. R. 4183, is now pending in the House on behalf of Mr. Georgaras.

You will note from the enclosed materials that Mr. Georgaras came to this country to receive medical treatment for injuries he sustained during the period of Communists' occupation of Greece. Apparently he has improved sufficiently so that now he can be self-supporting. He was left certain property in Umatilla County near Helix, Oreg., by his uncle, Mr. Peter Georgaras, as the enclosed photostat of the will reveals.

The copies of letters from various citizens would indicate that Mr. Georgaras has always been a law-abiding citizen and loyal to the ideals of democratic government.

He is very anxious to become a permanent resident of this country. It is to his best interest that he remain here and improve the land which he has inherited.

If after considering all the facts, the committee feels that this is a worthy case, favorable action would be appreciated.

Should any further information be desired, I shall be very glad to try and obtain it for the committee.

Sincerely,

WAYNE MORSE.

IMMIGRANTS' PROTECTIVE LEAGUE,
Chicago, April 18, 1955.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

(Attention of Mr. Bernstein, Secretary.)

THE HONORABLE WAYNE MORSE: It was most considerate of you to see Mr. Demetrios (James) Georgaras and me when we were in Washington last Monday, upon the suggestion of Senator Paul H. Douglas.

When in your office we left affidavit prepared by Mr. Georgaras. However, we are enclosing with this letter photostatic copies of other documents, as follows:

Photostatic copy of police certificate from village of Nestane, Tripolis.
Photostatic copy of police certificate from State of Tripolis, Greece.
Photostatic copy of letter from Mr. Dick Williamson, of Pendleton, Oreg.
Photostatic copy of affidavit from partner of deceased uncle, Mr. Peter Kosmas.
Photostatic copy of letter from Jimmy's physician.
Photostatic copy of will of Jimmy's uncle.
Inheritance-tax report (photostatic copy).
Police certificates of Pendleton, Oreg., and Chicago, Ill.

We are also enclosing photostatic copy of Jimmy's educational transcript as well as copy of his diploma from the Greek Gymnasium and translation of same. Jimmy would like to enter a college in Oregon and major in agriculture, so he will be better able to develop the ranch. Furthermore, we are sending you a photostatic copy of a letter from the Central YMCA College in Chicago, which shows that since his arrival in the United States, Jimmy has made an attempt to learn the English language and, as you know, he makes himself understood quite well for a newcomer.

Thank you again for the interest shown.

Most sincerely,

VENITTE ASKOUNES
Mrs. Theodore Askounes.

AFFIDAVIT

STATE OF ILLINOIS,
County of Cook, ss:

I, Demetrios (James) K. Georgaras, having been first sworn upon solemn oath, do hereby certify to the truth of the following:

I was born January 12, 1932, in the village of Nestane, Tripolis, Greece. When the last war started in Greece in 1940, I was only 8 years old. My father, my mother, and my brother Andreas, who is now 19 years of age and who is attending the University of Athens in Athens, Greece, have always been loyal, conservative, Greek subjects without any subversive beliefs, affiliations, and never in any way taking part in any subversive activities.

It is with only great anguish and personal bitterness that I remember when the Communists were in our village of Nestane. Although only a child at the time, I lived in a state of constant fear for my life. I would run when I encountered any of them, was chased by them, and would fall upon the rocks or try to hide behind piles of debris caused by the Communists' destruction of buildings in our community. At one time a fall upon the rocks, while fleeing from the Communists, hurt my knees so badly that they will never be physically well again. After this last fall, for 9 months both of my legs were placed in a cast. I was then in the village of Nestane and could not go to Athens for proper treatment while our village was being occupied by the Communists, as it would have been impossible to leave our village.

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After 9 months wearing the cast, my legs became stiffened and it was for this reason that I later came to the United States seeking medical treatment, such as I was unable to obtain in Greece at that time. I was young, and I did not want to become a chronic cripple. I wanted to get well so that I might be self-supporting.

After all this suffering, and living in constant fear of the Communists, it would be a human impossibility for me to belong to a communistic organization, or to believe in their political ideas of government, for I actually detest them after all the harm they have brought upon not only me, but to my family and to my friends of Nestane.

As I have received wonderful medical relief in the United States, and have enjoyed the best years of my life while a visitor in this country, I further would like to state that I sincerely honor the democratic form of government and democratic ideals of the United States, but I am also proud that I was a loyal Greek in my own country believing in their long history of conservative, democratic principles of government.

Further, may I give three references from Greece, persons who can testify as to my political beliefs and with regard to my character. They are:

(1) Professor Athanasios Tsoutsanis, Gortynia No. 43, Tripolis, Greece (Professor Tsoutsanis was my high-school teacher in Tripolis).

(2) Mr. Vasilios Doumazos, village of Nestane, Tripolis, Greece (Mr Doumazos is president of the community of Nestane).

(3) Mr. Kostantinos Spyropoulos, Patission (No. 54, Athens, Greece (Mr. Spyropoulos is working in the office of General Papagos).

DEMETRIOS (JAMES) K. GEORGARAS,
Temporary address: 507 West 63d Street, Chicago, Ill.;
Permanent address: Helix, Oreg.

STATE OF ILLINOIS,
County of Cook, ss:

Personally appeared before me this 30th day of March 1955 Demetrios (James) K. Georgaras, who is known to me to be a temporary resident at 507 West 63d Street, Chicago, Ill., and who affixed his signature before me to the above sworn statement.

EDNA M. ZIMDAHL, *Notary Public.*

My commission expires June 4, 1957.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2052) should be enacted.

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Calendar No. 1528

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1505

ABDULLAH IBRAHIM HAKIM

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2077]

The Committee on the Judiciary, to which was referred the bill (S. 2077) for the relief of Abdullah Ibrahim Hakim, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Abdullah Ibrahim Hakim. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 59-year-old native of Iran and last a citizen of Iraq who now claims to be stateless. His only entry into the United States was at New York, N. Y., on May 14, 1951, as a visitor for business. The beneficiary's wife and four children reside in Iran but he has been barred from joining them by Iran. They are Jews, and it is stated that for this reason their Iraqi citizenship was stripped from them, leaving them stateless in a land which prevents their reunion. The beneficiary's application under section 6 of the Refugee Relief Act was denied, as it was claimed that Iran was not persecuting the Jews. However, information in the committee files reflects that the beneficiary cannot return to the country of his birth or citizenship or last residence.

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A letter, with attached memorandum, dated July 15, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 15, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2077) for the relief of Abdullah Ibrahim Hakim, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Iran.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ABDULLAH IBRAHIM HAKIM, BENEFICIARY OF S. 2077

The beneficiary, Abdullah Ibrahim Hakim, also known as Abdullah Ibrahim Hakimzadeh, was born on or about December 15, 1896, in Kermanshah, Iran. He was last a citizen of Iraq, through naturalization in 1927. However, he now claims to be stateless, in the light of denial of passport facilities to him by the Governments of Iran, Iraq, and Israel. He married Poline Salih, a native of Iran, in 1920. His wife and four adult children, all former citizens of Iraq, reside in Teheran, Iran, and are reportedly stateless. The beneficiary resides at 412 West 110th Street, New York, N. Y. He claims not to have been gainfully employed in the United States. His usual occupation is that of a merchant in the export-import field. Assets of the beneficiary consist of approximately $1,000 in a checking account in a New York bank, a United States Treasury bond of $500, a share in real estate of undetermined value in Israel, and an unknown balance of the $25,000 which he left in Iran for the support of his wife and children. The beneficiary, who speaks English and four foreign languages, attained a high-school level of education in Iran and has received a certificate of equivalency from the New York City Board of Education upon completion of evening elementary classes.

Abdullah Ibrahim Hakim's only entry into the United States occurred at New York, N. Y., on May 14, 1951, at which time he was admitted for 6 months as a visitor for business. His temporary period of admission was extended to May 13, 1952, and thereafter an extension was denied, but he was granted until October 14, 1952, to effect departure. On October 15, 1952, a warrant for the arrest of the beneficiary was issued on the ground that he had remained in the United States for a longer time than permitted. He was found to be deportable and was ordered deported on January 21, 1953. A warrant of deportation is outstanding. An application for the adjustment of his immigration status to that of a permanent resident of the United States pursuant to section 6 Refugee Relief Act of 1953, was denied by this Service on April 21, 1955.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

JACKSON HEIGHTS, N. Y., *October 31, 1955.*

To Whom It May Concern:

This is to certify that I have been treating Mr. Abdula Hakim since January 1952 for diabetes and its complications and duodenal ulcer. He has been examined and X-rayed many times at Mount Sinai Hospital. With an adequate diet and insulin injections his diabetic condition could be controlled. While his ulcer has had many relapses; the last of his relapses occurred last June complicated by

bleedings. The cause of these relapses is attributed to his mental distress. In order to prevent any further serious complications he must remove the above-mentioned causes of tension. If his immigration status could be legalized I feel sure he would improve.

Yours very truly,

M. MOAZED, M. D.

UNION OF SEPHARDIC CONGREGATIONS,
New York, N. Y., June 9, 1955.

Hon. HERBERT H. LEHMAN,
The Senate, Washington, D. C.

MY DEAR SENATOR LEHMAN: I am glad indeed to know that you are introducing a bill to legalize the presence in this country of Mr. Abdullah I. Hakim, at the present residing at 412 West 110th Street, New York City.

I am personally acquainted with Mr. Hakim and I can affirm that he is held in the highest esteem by his former compatriots from Iran.

He has an excellent reputation as a man who has given himself both with personal service and with financial aid to his distressed fellow men.

It is my earnest hope that your bill will succeed in solving his cruel problem and enable him to become a resident and eventually a citizen of this country.

Sincerely yours,

DA SOLA POOL, *President.*

CONGREGATION RAMATH ORAH, INC.,
New York 25, N. Y., June 8, 1955.

HON. HERBERT H. LEHMAN,
New York, N. Y.

DEAR SENATOR LEHMAN: It is with a sense of deep gratification that I learned of the bill which you introduced in the United States Senate for the relief of Abdullah Ibrahim Hakim.

Mr. Hakim, who is a member of my congregation, deserves full support in his plight. In the recent years of personal association I have come to know him as a man of highest moral integrity, of absolute trustworthiness, and of ever-present loyalty to our religious beliefs and traditions.

As director of the Eastern Hemisphere division in the World Jewish Congress Organization Department I have also come to know of the generous assistance which he gave to the thousands of Jewish refugees who in the years of the Second World War were able to escape from Soviet Russia and reached Teheran. This is another fact that pleads in favor of Mr. Hakim and should pave the way for the legalization of his status.

Thanking you for your active interest in the worthy cause of Mr. Hakim and wishing you full success in this human enterprise, I am,

Very sincerely yours,

Dr. ROBERT SEREBRENIK, *Rabbi.*

NEW YORK SECTION,
NATIONAL COUNCIL OF JEWISH WOMEN,
New York, N. Y., May 13, 1955

Re Abdullah Ibrahim Hakim, New York, N. Y.

Hon. HERBERT H. LEHMAN,
United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR LEHMAN: Our organization would be most appreciative if you could introduce a private bill on behalf of Mr. Hakim who is stranded in this country, has been refused adjustment of immigration status under section 6 of the Refugee Relief Act and who has an outstanding order of deportation, and cannot return to his native country.

I have turned to you on this case because Mr. Hakim's situation is so truly desperate and pathetic that it is heartbreaking to think that there is no solution to his problem.

Mr. Hakim was born in December 1896 in Iran and had always lived in Iran, but was a citizen of Iraq on the basis of his father's nationality. His wife, his six children, his home and all of his assets are in Iran.

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Mr. Hakim arrived in this country on May 13, 1951, on a visitor's visa for business purposes. He traveled on an Iraq passport, issued on April 19, 1947, and procured a new Iraq passport in New York on October 31, 1951. He had extensions on his temporary stay until May 13, 1952. In February 1952 he was called by the consul of Iraq and informed that his passport had been recalled by the Iraqian Foreign Minister. The Iraqian Government at that time canceled the passports of all persons of the Jewish religion. A temporary document was given him until October 17, 1952, when he was informed that he and his family had lost Iraqian citizenship.

Since that time Mr. Hakim has made constant efforts to obtain a visa to return to Iran, but the country of his nativity refuses to accept him back because he is technically stateless.

Mr. Hakim is a highly responsible individual who had no intention of remaining in this country in violation of our laws, but he is a victim of postwar conditions in the Middle East. He has been banished from his homeland and forcibly separated from his wife and children. He has addressed petitions to the Shah of Iran and to other important individuals to help him get back to his family, but to no avail. Although he is truly a displaced person, he has been considered not eligible under section 6 because it is held that the country of his last residence, Iran, is not persecuting members of the Jewish faith. When the Shah of Iran was in this country Mr. Hakim appealed to him for help in returning to Iran, but his efforts were unsuccessful. I personally inquired at the United Nations to see whether they could be of help in getting this man back to his family in Iran, but they informed me that inquiries which they had undertaken revealed that persons, regardless of religion, who were stateless and who had left Iran could not return. A copy of the appeal filed on his behalf is herewith attached.

From our own personal investigation of his situation, our intensive understanding of his character and inquiries about him, we have found that he is a responsible person, a devoted husband and father, a fine businessman and an expert in the field of import-export.

We trust that it may be possible not only for a private bill to be introduced on his behalf, but that such a bill should be enacted, so that this man, who is without a country and without a place to go, may be able to legalize his status in this country and in this way ultimately effect a reunion with his family.

Mr. Hakim is planning to be in Washington shortly and with your permission would be glad to show you his papers and documents which substantiate the contents of this letter.

Please accept our thanks for any consideration you can give this request.

Sincerely yours,

Mrs. Sonia S. Smick, *Director*.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2077) should be enacted.

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Calendar No. 1529

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1506

CHARLOTTE MUHLEFELDT

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2104]

The Committee on the Judiciary, to which was referred the bill (S. 2104) for the relief of Charlotte Muhlefeldt, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who is afflicted withe pilepsy in behalf of the fiance of a United States citizen. The bill also provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

STATEMENT OF FACTS

The beneficiary of the bill is a 50-year-old native and citizen of Germany who presently resides in that country. She is engaged to marry Hans Jahnke, a United States citizen, who met the beneficiary while on a trip to Germany. The beneficiary has been refused a visa to enter the United States inasmuch as she has been found to be afflicted with epilepsy. Without the waiver provided for in the bill, the beneficiary will be unable to qualify for a visa to enter the United States in order to marry her citizen fiance.

A letter, with attached memorandum, dated July 26, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 26, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2104) for the relief of Charlotte Muhlefeldt, there is attached a memorandum of information concerning the beneficiary. This memornadum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Milwaukee, Wis. office of this Service, which has custody of those files.

The bill would waive the provisions of the Immigration and Nationality Act which excludes from admission into the United States aliens who are afflicted with epilepsy, and would grant the alien permanent residence if she is found to be otherwise admissible. The bill would also require that a bond be deposited to insure that the alien shall not become a public charge.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE CHARLOTTE MUHLEFELDT, BENEFICIARY OF S. 2104

Information concerning the beneficiary was furnished by Mr. Hans Jahnke, who is the beneficiary's fiance and the sponsor of the bill.

The beneficiary, Charlotte Muhlefeldt, a native and citizen of Germany, was born on November 14, 1905. She is divorced, has no children and resides at Trifstrasse No. 4, Berlin N. 65, Germany. Her usual occupation is that of a seamstress, but she is presently employed as a waitress at a salary of about $5 per week. She completed elementary school. She has no assets. Her parents are deceased and her two sisters reside in Germany.

The beneficiary has never been in the United States. According to the sponsor, she has suffered from epilepsy for several years and for this reason the American consul at Berlin, Germany, refused to issue her an immigrant visa in January 1955. The committee may wish to make inquiry of the Visa Office of the Department of State for further information in this connection.

The sponsor was born in Germany, entered the United States in 1929 and became a naturalized citizen in 1936. He is employed as an inspector in a stove factory at a salary of $55 per week. His assets consist of $500 savings. Mr. Jahnke has stated that he met and became engaged to the beneficiary while visiting in Germany in 1954. He further stated that he is able to provide her transportation, post any necessary bond and expects to marry the beneficiary and provide her a home at Grafton, Wis., if she is permitted to enter the United States.

Senator Alexander Wiley, the author of the bill, submitted the following letter and statement in support of the bill:

GRAFTON, WIS., *May 14, 19*

Senator ALEXANDER WILEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR WILEY: I am sorry that I have neglected answering your letter of last January for so long, but evidently you will remember my case nevertheless.

I returned to the United States in the middle of February, not having married my fiance, who I left in Berlin, Germany. Since that time I have been trying to find some way to get my fiance into the United States, but so far have been unsuccessful. Various prominent citizens of this community have been very interested in this particular case, one even was willing to take a business trip to Washington, D. C., but because of sickness was unable to do so. Mr. Robert P. Zaun also has been very interested in this case. I recently wrote up the enclosed story and have given it to various people who have been willing to help me, but all to no avail.

I am appealing to you again now to kindly consider again her age and mine and other various factors as described in the enclosed story. Would it be possible for you to bring this particular case up before the Congress of the United States to receive special attention? Is there any way at all of obtaining special permission, or is this the end of everything?

I will certainly be most grateful for anything you can do for me.

Yours very truly,

HANS JAHNKE.

FOREWORD

A citizen of the United States, I believe in the Constitution and law of the country. I respect the law and even defend the law.

The decision was made in the Berlin American Embassy in the month of January 1955, in my case. I have the greatest respect for the vice consul, Mr. Brackford, and the American doctor of the Health Department, Frankfort, West Germany. I seriously believe that both gentlemen respect the United States and they did their duty and I did not ask for any specialties in my case.

I urge that when you read my story now you seriously believe that this lady be granted a visa for the United States.

On my first visit to Berlin I met in December 1953, in the western sector of Berlin, Frau Muhlefeld. When I met this lady she was very lonesome and I explained that I was only an employee of the Jungers Stove & Range Co. She was very grateful for everything I offered her and did not ask me for gifts or money.

Before we got more acquainted one evening she had the courage to tell the real story of her life. In the first place, that she belongs to the Russian sector. In the second place, that her husband left her after 17 years of marriage. Her husband was employed by the Hansa Luftwaffe. In the years 1945–46 this man came to dishonesty and was captured by the Russians and at present his whereabouts are unknown to her. Last year she wrote to Mr. W. Pieck, President of East Germany, about her former husband—unknown.

In the year 1936—at Adolph Hitler time—she was sterilized because she had the sickness of epilepsy. This sickness occurs only at night and not during the day.

For telling all this story I admire this woman's honesty and courage and before I left Berlin, February 14, 1954, I saw a card laying at her home from the police station that the police were spying on her all the time. Most of the time, because of loneliness, she spent most of her time by her sister and with her relation in West Berlin because she was afraid of staying alone in the house.

I returned to the United States on the 15th of February 1954 and received a letter from her faithfully twice a week.

On the 16th of April I filled out the support papers in Port Washington, Wis., and was willing to get Frau Muhlefeld over here. Twice she went to the American consul and I sent her to a woman specialist, Dr. Gehford of the Virchow Hospital, who was willing to discuss the matter of her sickness. At the American consul she was not registered because she came from the Russian sector. This Dr. Rehdorf's personal opinion of this woman was that because of her age (49), she will get no more sickness, and her sickness is very small. The older she gets—the less the sickness.

I got a letter from the State Department from the Director of the Visa Office and the only solution in my case was to go back to Germany because this woman lived in the Russian sector and they have no American consul in the Russian sector. The only way out—I flew back to Berlin, Germany, to marry this woman that I left in Berlin. On December 22, 1954, I arrived in Berlin. The reason for my trip—to get married to this lady.

Over the holidays, in Christmas spirit, I spent 2 days in the Russian sector—returning to the American sector evenings. Between Christmas and New Year's my lady friend went back to her apartment and soon as she entered her apartment a police officer asked for the number of her passport, and this was the end of her life in the Russian sector. The German Eastern police found out that I was there from neighbors, but did not know my name. The Russian Government closed her apartment and took everything out that she had. She took only a few clothes, otherwise left everything behind.

By Christmastime we had planned to be married. Before we got married I got in contact with the American Embassy and asked for an interview. The 5th of January was the day whe was examined by the German woman doctor who worked for the American consul. The German doctor asked her one question: What kind of operations she had in her life? In spite of fear, and in honesty, she mentioned the sterilization from Adolf Hitler and the sickness. And this was the end of everything. I repeat again—Mr. Brackford and the doctor did their duty as representatives of the American Government.

I came in contact with the high German official—Dr. Geart—assistant to the mayor of Berlin, police commissioner of the police station, and all these people could not understand what had happened to me. I seriously repeat again, that is the law of the United States, which I myself respect. I wrote a letter to

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Senator Wiley on January 7, 1955, for his advice of whether I should get married or not. He was at a loss to give me any advice and I should take the advice from the consul.

Before I left on February 11, I called Mr. Brackford once more on the phone and asked him how bad the sickness was. He said this case is not too bad, but it still is epilepsy.

I feel sorry indeed that I left the woman behind in a very terrible condition. On the 10th of February I was out in Marienfelde Refuge Center. I talked to the head lady, Mrs. Fischer. She was shocked and surprised at my story and she was willing to help her to be recognized as a political refugee. So I returned to the United States unmarried.

I therefore appeal to you to consider her age and other factors involved and that you grant her a visa to the United States.

HANS JAHNKE,
Grafton, Wis.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2104) should be enacted.

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Calendar No. 1530

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1507

DOROTHY MAY ACKERMANN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2138]

The Committee on the Judiciary, to which was referred the bill (S. 2138) for the relief of Dorothy May Ackermann, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dorothy May Ackermann. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 20-year-old native and citizen of the Philippine Islands, who last entered the United States on August 4, 1954, as a student. The beneficiary is an orphan, both of her parents having been killed during the Japanese occupation of Manila, and she was thereafter raised in a Catholic orphanage. She has completed a secretarial course and is precently employed in an insurance agency in Lakeland, Fla.

A letter, with attached memorandum, dated August 9, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington 25, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2138) for the relief of Dorothy May Ackermann, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Tampa, Fla., office of this Service which has custody o those files.

The bill would grant the beneficiary permanent resident status in the United States upon payment of the required visa fee. It would also provide for the deduction of one number from the appropriate immigration quota.

The beneficiary is chargeable to the quota of the Philippines.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DOROTHY MAY ACKERMANN, BENEFICIARY OF S. 2138

The beneficiary was born on October 27, 1935, at Manila, Philippines. She last entered the United States on August 4, 1954, at Anchorage, Alaska, as a nonimmigrant student. Deportation proceedings were instituted against her on the ground that she had failed to maintain the student status under which she was admitted. She was found deportable and was granted the privilege of voluntary departure. However, she has not as yet availed herself of that privilege.

After entering the United States the beneficiary attended the Lakeland Business Institute, Lakeland, Fla., where she completed a full secretarial course. She had previously completed high school and 2 years of college in Manila, Philippines. She has been employed as a stenographer by the King Insurance Agency, Lakeland, Fla., since April 1, 1955. She earns $30 per week and has no known tangible assets. The beneficiary has never been married. She was orphaned at the age of 10 years when her parents were killed during the Japanese retreat from the Philippines in 1945, after which time she resided at the Catholic School, St. Domitilla's, Quezon City, Manila, Philippines. Her grandmother, Mrs. Adela Dorr, resides at 949 Augusta Street, Lakeland, Fla. However, she does not reside with Mrs. Dorr because of unfavorable relations with Mr. Dorr.

Mr. William Lyons King, the beneficiary's employer, in an interview stated that after learning of the beneficiary's background and having found her services very satisfactory, he has taken a personal interest in her case. Mr. King was born on November 29, 1885, in Telfair County, Ga. He is married and resides at 1200 Easton Drive, Lakeland, Fla. He is the sole owner of the King Insurance Co., Lakeland, Fla. He is a member of the Rotary Club of Lakeland, Fla., the order of Free and Accepted Masons, and the Benevolent Protective Order of Elks.

Senator Spessard L. Holland, the author of the bill, has submitted a number of letters and statements in support of the bill, among which are the following:

KING INSURANCE AGENCY,
Lakeland, Fla., June 8, 1955.

Re Miss Dorothy May Ackermann

Hon. SPESSARD L. HOLLAND,
United States Senate, Washington, D. C.

DEAR SPESSARD: Referring to correspondence under the captioned and particularly your communication of May 27 we have secured the attached letters of recommendation for this young lady which we trust will serve your purpose.

Dorothy May Ackermann was born on October 27, 1935, in Manila, Philippine Islands, and her mother was Mary Ruiz Ackermann, of Mexican origin, and her father, Fred Ackermann, a Swiss. Dorothy does not remember by whom her father was employed but she knows that he did some kind of office work in Manila. She entered the American public school in Manila when she was 6 years of age, living with her parents and during the Jap invasion of Manila she did not attend school but, like all other children, was kept housed by the parents and they spent a good deal of time in the air raid shelters during the attacks.

The first part of 1945 the Japs began burning houses where citizens lived in Manila and Dorothy very distinctly remembers when their house was set afire by the Japs and her mother and father took her and attempted to run for the air-raid shelter. The father, however, was shot through the chest and the mother proceeded with the daughter reaching the shelter and the father was later brought there in an injured condition. The injured father along with the mother and daughter were taken to the Manila Gas. Co., which was a Swiss colony and they stayed there for several weeks until the Japs invaded this gas company's premises at which time the mother was hit by shrapnel.

Both the father and mother were carried to Santo Tomas Hospital in Manila and Dorothy was kept by a Swiss family. The mother died as a result of shrapnel wounds on March 2, 1945, and the father succumbed May 19, 1945, from chest gunshot wounds. Dorothy was kept by this Swiss family, whose name was Oberle, until October 1945 when the Sisters of St. Domitilla's School, a Catholic convent, took her to raise, educate, and train. She finished her high-school work in the convent and took 2 years of college, majoring in accounting, in this convent school.

Previous to the death of her father, Mr. Ackermann left what little money he had with the Swiss consulate of the Philippines for his daughter's education and after Dorothy had finished 2 years of college in the convent, the sisters figured that because there was some money left it would be well for Dorothy to come to the United States and further her education and eventually apply for citizenship, but it seems there is quite a difference in ideas of money and by the time Dorothy got to America she had spent $600 for her transportation and there was only $150 left so, although it was thought she would enter Florida Southern College she found it would cost more money than she had so she contacted the Lakeland Business Institute and they told her a business course would cost $225; the $75 additional over what she had was sent to her by the sisters and this paid for her business course.

As previously advised you, she came to Lakeland, presumably to make her home with her grandmother, but in the meantime her grandmother had married an American citizen who was prejudiced to the Catholic religion and the grandmother must work outside of the home to help make a living, so there was no money to take care of Dorothy and the grandmother's husband became very disagreeable and was unkind with Dorothy, based on his objection to her religion, which is Catholic, and she was forced to leave his home and she has since been living with Mr. and Mrs. Lewis, 1409 Carver Avenue, Lakeland, Fla., and since April 4, 1955, she has been employed in this agency and is trying very hard to make good.

She has received a letter from A. J. Mixson, officer in charge, of the United States Department of Justice, which has granted her permission, provided it will assist her to put to practice what she has learned at the business college, to continue her employment, but he further advises that this permission will terminate with the time that she finishes business school provided she does not intend to reenter school in the fall, further stating that if she does reenter school in fall she may continue working during the summer months.

We believe the information given in our communication of May 12 and the above gives you what you want but in the event there is further information or help we can give, advise.

With personal regards,

Sincerely yours,

W. L. KING.

ALLEN & CO.,
Lakeland, Fla., June 6, 1955.

To Whom It May Concern:

This is to certify that Miss Dorothy May Ackermann is presently employed by a local insurance agency in Lakeland, Fla.

Miss Ackermann is a young woman of sterling character, thoroughly honest, very religious, and with high integrity. She shows every indication of becoming a successful individual, and I, without hesitancy, give her my unqualified recommendation.

Very truly yours,

J. EVERETT ALLEN

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ST. JOSEPH'S CHURCH,
Lakeland, Fla., June 1, 1955.

To Whom It May Concern:

This is to certify that I have known Dorothy Ackermann since last September.

Miss Ackermann is an excellent young woman of the highest moral character and integrity. I feel that she is definitely an asset to our community.

I am very happy to recommend her unqualifiedly.

(Signed) Rt. Rev. P. J. MCGILL.

DR. ALVIN J. FILLASTRE AND ASSOCIATES,
Lakeland, Fla., June 4, 1955.

To Whom It May Concern:

I have had the pleasure of knowing Miss Dorothy May Ackermann, age 19, who appears to be much older, possibly due to the many unfortunate circumstances and hardships during her lifetime.

This young lady has a nonimmigrant status in this country which was provided her for the purpose of attending Southern College in Lakeland. This student visa, as I understand it, is good so long as she remained a student, or for a period of 2 years.

The purpose of this letter is to set forth certain facts, such as terminating her work at the college, for the reason she was not financially able to carry on. She is now employed by an insurance firm and is doing an excellent job, also displaying every attribute that would be expected of a good American citizen; her character is unquestionable, she is honest, religious, and a hard worker.

If the status of Miss Ackermann could be changed to that of immigrant I feel a worthwhile deed would have been accomplished because it is her desire to remain in the United States if at all possible for the purpose of being an American citizen. I am let to believe this can only be accomplished by changing her status from nonimmigrant to immigrant.

To whomever this is directed I sincerely recommend that the foregoing be done.

Respectfully submitted.

ALVIN J. FILLASTRE.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2138) should be enacted.

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Calendar No. 1531

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1508

JOSE TORRES

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2155]

The Committee on the Judiciary, to which was referred the bill (S. 2155) for the relief of Jose Torres, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jose Torres. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of Spain who entered the United States at New York City on February 23, 1953, as a visitor. He is unmarried and has no close relatives in the United States. He was inducted into the United States Army and was given an honorable discharge after serving for more than 2 years. His commanding officers and numerous civilian associates have written endorsements in his behalf recommending him highly.

A letter, with attached memorandum, dated December 8, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 8, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2155) for the relief of Jose Torres, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States, upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Spain.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOSE TORRES, BENEFICIARY OF PRIVATE BILL S. 2155

The beneficiary, Jose Torres, also known as Jose Angel Torres, is a native and citizen of Spain, who was born on May 27, 1926. He is single and presently resides at 860 Bush Street, San Francisco, Calif. Mr. Torres attended elementary school, high school, and the Ardaillon College in Oran, Algeria. His assets consist of a savings-bank account in the amount of $1,000, and personal property valued at $500. The beneficiary's 2 sisters and 2 brothers are residents of Oran, Algeria, and are citizens of Spain and France respectively.

The beneficiary entered the United States at New York City on February 23, 1953, at which time he was admitted as a visitor for a period of 3 months. He was inducted into the United States Army on March 19, 1953, and served honorably until discharged on August 8, 1955. Deportation proceedings will be instituted.

Senator Alan Bible, the author of the bill, has submitted numerous letters and documents in connection with the case, among which are the following:

SAN FRANCISCO, *January 8, 1956.*

Re Thomas Ros and Jose Torres.

To Whom It May Concern:

The above-named individuals have been known to me since their arrival in the United States.

I have had the occasion to see them before, during and after their military service with the Armed Forces of this country.

To the best of my knowledge, I have found them to be of good character and morals and if citizenship is granted no doubt they will be of great credit to our Nation.

FRANKLIN BUMPS.

SAN FRANCISCO, CALIF.

Re Thomas Ros and Jose Torres.

To Whom It May Concern:

The above-named individuals have been known to me since June 1951, when we met in Casablanca, French Morocco. Since that time, I have had occasion to see them in North Africa and the United States before, during, and after their military service overseas with the Armed Forces of this country.

This letter will certify that to the best of my knowledge, there is no defect in either one to reflect adversely on the United States of America, nor have I observed any character, moral or personality trait which might tend, in any manner, to qualify this letter.

JAMES D. ROBERTS.

947TH MEDICAL COMPANY,
A. P. O. 541, United States Army, May 25, 1955.

CERTIFICATE

I hereby certify that Cpl. Jose Torres was assigned to the 947th Medical Company (Clr.) (Sep.), APO 541, United States Army, Salzburg, Austria, from December 12, 1953, to February 4, 1955.

While a member of this organization, Corporal Torres demonstrated outstanding initiative and high moral standards.

I would rate Corporal Torres superior on his character, morals, efficiency, and morale while a member of this command.

CHESTER M. BEATTIE, JR.,
Major, MSC, Commanding.

COMPANY L, 1ST INFANTRY REGIMENT,
Fort Ord, Calif., July 31, 1953.

CERTIFICATE

I hereby certify that Pvt. Jose Torres was assigned to Company L, 1st Infantry Regiment, Fort Ord, Calif., from March 31, to August 4, 1953, for the purpose of completion of infantry basic training in the United States Army.

While a member of this organization Private Torres has demonstrated outstanding initiative and high moral standards.

I would rate Private Torres superior on his character, morals, efficiency, and morale while a member of this command.

CHARLES L. ERICKSON,
Second Lieutenant, Infantry.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2155) should be enacted.

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Calendar No. 1532

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1509

THOMAS H. ROS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2156]

The Committee on the Judiciary, to which was referred the bill (S. 2156) for the relief of Thomas H. Ros, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Thomas H. Ros. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 31-year-old native and citizen of Spain who entered the United States at New York City on April 28, 1953, as a visitor. He was inducted into the United States Army and was given an honorable discharge after serving for 2 years. He is unmarried and apparently has no close relatives in the United States. His commanding officers and civilian associates have written endorsements in his behalf.

A letter, with attached memorandum, dated November 29, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE.
Washington 25, D. C., November 29, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary, United States Senate,
Washington 25, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2156) for the relief of Thomas H. Ros, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y. office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Spain.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE THOMAS H. ROS, BENEFICIARY OF S. 2156

The beneficiary, Thomas H. Ros, is a native and citizen of Spain, who was born on February 17, 1925. He is single and presently resides in San Francisco, Calif. Mr. Ros attended elementary school, high school, and the Ardaillon College in Oran, Algeria. His assets consist of $800 in cash and personal effects estimated at $1,000. The beneficiary's brother, a French citizen, and sister, a Spanish citizen, reside in Oran, Algeria and Rio de Janeiro, Brazil, respectively.

The beneficiary entered the United States at New York City on April 28, 1953, at which time he was admitted as a visitor for a period of 6 months. He was inducted into the United States Army on May 23, 1953, and served honorably until discharged on May 4, 1955. A part of his military service was performed in Korea and Hawaii. On May 20, 1955, he received an extension of his stay to September 4, 1955. Deportation proceedings will be instituted

Senator Alan Bible, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

SAN FRANCISCO, CALIF., *May 7, 1955.*

Re Thomas Ros and Jose Torres.

To Whom It May Concern:

The above-named individuals have been known to me since June 1951, when we met in Casablanca, French Morocco. Since that time, I have had occasion to see them in North Africa and the United States before, during, and after their military service overseas with the Armed Forces of this country.

This letter will certify that to the best of my knowledge, there is no defect in either one to reflect adversely on the United States of America, nor have I observed any character, moral or personality trait which might tend, in any manner, to qualify this letter.

JAMES D. ROBERTS.

SAN FRANCISCO, CALIF., *January 8, 1956.*

To Whom It May Concern:

This will certify that I have known the following: Thomas Ros and Jose Torres before, during, and after they have been honorably discharged from their military service in the United States forces.

To the best of my knowledge I have found both individuals of good character and morals. There is no doubt on my part that they would be a credit to our Nation if citizenship is granted.

ELIZABETH HARDGROVE.

RENO, NEV., *January 9, 1956.*

DEAR SENATOR BIBLE: This is to certify that I have known Thomas H. Ros and Joe Torres since they entered the United States in 1953, and have corresponded with them while they were in our Armed Forces.

To the best of my knowledge, I have found them to be of good character and high morals.

Sincerely,

EVELYN D. SHIPLEY.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2156) should be enacted.

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Calendar No. 1533

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1510

DR. WEI-CHI LIU

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2201]

The Committee on the Judiciary, to which was referred the bill (S. 2201) for the relief of Dr. Wei-Chi Liu, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Wei-Chi Liu. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native of Hong Kong and citizen of China who first entered the United States at San Pedro, Calif., on June 23, 1949, as a student. He has completed his medical training and internship and is presently employed as a resident physician in anesthesia at the Franklin Boulevard Community Hospital in Chicago. He is also doing research in the department of pharmacology at the University of Chicago. Information is to the effect that he has published several important papers, among which is one concerning the transplanting of hearts in living dogs. It is stated that the medical fraternity recommends him highly. His status was changed to that of a visitor on May 22, 1951, and his application under the Refugee Relief Act was denied because it is

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possible for him to return to the place of his birth. The beneficiary is single.

A letter, with attached memorandum, dated August 10, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 10, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2201) for the relief of Dr. Wei-Chi Liu, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Chinese.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. WEI-CHI LIU, BENEFICIARY OF S. 2201

The beneficiary, Dr. Wei-Chi Liu, a native of Hong Kong and citizen of China of the Chinese race, was born on August 16, 1923. He is single and is presently residing at 1344 West Carmen Avenue, Chicago, Ill.

Dr. Liu completed elementary school, high school, and 3 years of premedical training in China and Hong Kong. In June of 1949 he graduated from the Chinese National Central University Medical School in Chengtu, China, and received a doctor of medicine degree. He is presently employed as a resident physician in anesthesia at a salary of about $12,000 per year. His assets consist of about $2,000 in personal property and $2,000 in cash savings. His father, mother, and sister reside in Canton, China. His only close relative in the United States is an uncle.

The beneficiary first entered the United States as a student at San Pedro, Calif., on June 23, 1949. He made a brief visit to Canada in April of 1950 and was readmitted into the United States as a student at Detroit, Mich., on or about May 6, 1950. His status was changed to that of a visitor on May 22, 1951. He applied for adjustment of status under the provisions of section 6 of the Refugee Relief Act of 1953, as amended, but his application was denied on June 11, 1954, on the ground that he could not establish that he was unable to return to Hong Kong because of persecution or fear of persecution on account of race, religion or political opinion. Deportation proceedings are being instituted on the ground that he has failed to comply with the conditions of his status. There is apparently no administrative relief available to the beneficiary at this time.

Dr. Liu has had no military service and is not required to be registered under the Universal Military Training and Service Act.

While in the United States the beneficiary has contributed to an experimental study in the transplantation of hearts, has been an instructor in anesthesiology at the Chicago Medical School, served as a consultant in anethesiology at the Lewis Weiss Memorial Hospital in Chicago, Ill., and is licensed to practice medicine in the State of California.

Senator Paul H. Douglas, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES SENATE,
October 6, 1955.

Re S. 2201, for the relief of Dr. Wei-Chi Liu.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington 25, D. C.

MY DEAR SENATOR KILGORE: For the full information of your committee, I am pleased to submit the attached information in support of S. 2201, for the relief of Dr. Wei-Chi Liu.

Dr. Liu was born on August 16, 1923, in Hong Kong. He entered the United States on June 23, 1949, on a student visa and shortly thereafter began a medical internship at the Southern Pacific General Hospital in San Francisco. From July 1, 1950, to the present time he has been a resident of Chicago, Ill., affiliated with Mount Sinai Hospital, the Franklin Boulevard Community Hospital, the Lewis Weiss Memorial Hospital, and the Chicago Medical School.

In 1954 Dr. Liu's petition for adjustment of immigration status under the provisions of the Refugee Relief Act was denied because his birthplace, Hong Kong, is not considered part of Red China.

Dr. Liu's associates are exceptionally enthusiastic in their letters of recommendation, regarding both his professional and private contributions to the community in which he lives. It appears that he has become almost indispensable at the hospitals where he now works as a specialist in anaesthesiology.

It is my sincere belief that Dr. Liu is worthy of favorable consideration by your committee, and I hope that S. 2201 will be reported to permit his permanent residence in the United States.

With kind regards,

Sincerely yours,

PAUL H. DOUGLAS.

MAY 26, 1955.

Hon. PAUL H. DOUGLAS,
United States Senator, United States Courthouse,
Chicago, Ill.

DEAR SENATOR DOUGLAS: The following is an outline of the personal history of the undersigned, Dr. Wei-Chi Liu.

I was born on August 16, 1923, in Hong Kong, China, the son of Jong Liu and Shuet Fong Liu. There was one other child, my sister. My father was engaged in the selling of pharmaceutical supplies.

I received my primary and secondary schooling at Canton, China, and Hong Kong, China, and matriculated to the Chinese National Central University Medical School in the city of Chengtu near Chungking in Sze Chun Province. Upon graduation I moved to Nanking and thereafter interned at the Rockefeller Medical Center in Peking, China. I am not and have never been married, and, of course, have no children.

I applied for and received a student's visa No. 407 at Canton, China (see Immigration file No. A 7223669T), and thereafter sailed from Hong Kong in May of 1949 on the liner *President Taft* and arrived some weeks later (June 23, 1949) at San Pedro, Calif.

Immediately upon arrival, I entered upon a medical internship at the Southern Pacific General Hospital in San Francisco, Calif. My work there was general in nature, rotating periodically from one medical service to another.

One year later I received an invitation to fill a residency and to do graduate work in anesthesiology at the Mount Sinai Hospital in Chicago, Ill. I filled that post to the best of my ability from July 1, 1950, to October 24, 1952.

It is the proud boast of the medical men who are engaged in the field of anesthesia that most, if not all of the significant advances that have been made in surgery, are due almost entirely to the improvements in anesthetics, and advances made in the administration thereof by anesthetists.

With reference to the above, I was fortunately able during my stay at Mount Sinai to make a small contribution to the advancement of the science of anesthesia.

In September of 1952 the Journal of the International College of Surgeons published an article entitled "Evaluation of the Usefulness of Intravenous Sodium Seconal in Anesthesia" which was prepared by Dr. Ruth Weyl, Dr. Evelyn Lipp, and myself.

During the same period, I contributed to an experimental study in the transplantation of hearts under the direction and guidance of Dr. Alda A. Luisada

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and Dr. Emanuel Marcus. The results of the study were published in Cardiologia, volume 25, No. 4 (1954) under the title "The Behavior of a Transplanted Heart."

On October 24, 1952, I entered the Franklin Boulevard Community Hospital as an anesthesiologist and have occupied the post as such at that hospital from that date to this. During the years 1952–54 I was an instructor in anesthesiology in the department of surgery at the Chicago Medical School and during the same period down to date, served as a consultant in anesthesiology at the Lewis Weiss Memorial Hospital, Chicago, Ill.

I am presently engaged in basic research under the general supervision of Dr. E. M. K. Geiling, in the department of pharmocology at the University of Chicago, and am particularly engaged in work upon a cathartic referred to as phenolphthalein. The isotope studies in which I am engaged with the particular drug gives signs of exceptional promise; if successful, the study could add substantially to our understanding of the methods and reasons why cathartics behave in the manner in which they do.

I am presently licensed to practice medicine in the State of California, and have license No. 19144, which was issued on January 7, 1955, for the year 1955. My first license from that State was issued during 1954.

I am submitting the above record as part of my respectful request that you introduce a bill before the United States Congress which would permit me to become a permanent resident of the United States of America.

During 1954 I applied for a change of my status requesting that I be given the relief contemplated by the Refugee Act. This was denied because I was born in Hong Kong which is not deemed part of Red China. I view thereof, no other method is available to me to obtain permanent residence other than through your good offices.

As a son of Nationalist China, and as a person who believes firmly in the freedom of man, it is unthinkable for me to consider returning to my native soil which is, as you know, now crushed under the heel of tyranny. Moreover, the scientific and political atmosphere of the United States are such that a person of my background has here the finest opportunity to achieve the utmost within him.

Attached hereto you will find recommendations from various persons who have known me during my stay in the United States and whom, I believe, are well qualified to pass upon my merits as a person and as a physician.

I humbly invoke your aid so that I may remain here for the remainder of my years, and to the extent of my small abilities, make such contributions to the American community as time and circumstances will permit. Please accept my deepest thanks for any consideration which you may deem fit to accord me in this instance.

Respectfully submitted.

Dr. Wei-Chi Liu.

Chinese Christian Union Church,
Chicago, Ill., April 16, 1955.

Hon. Senator Paul Douglas,
United States Courthouse, Chicago, Ill.

My Dear Senator: One of our members, Dr. Wei-Chi Liu is seeking permission from the Government of the United States to become a permanent resident. We believe that his ability as a physician will be so helpful to our community that we would like to support his request and will appreciate greatly anything you can do on his behalf.

Dr. Liu came to this country in June of 1949 and has been an attendent of this church since 1951. He was on the staff of Mount Sinai Hospital from 1950 to 1952 and at present he is on the staff of the Franklin Boulevard Hospital as an anesthetist. From my personal observation and knowledge, he is a fine young man of high moral standards and purpose. I am glad to recommend him.

Since the end of the war, many Chinese families of Chinese GI's came to live in Chicago. Added to that, many Chinese residents who became naturalized since the repeal of the Exclusion Act applied for their families to enter into this country resulting in a shortage of physicians who can speak both Cantonese and English to be able to take care of them. I am very anxious that capable men like Dr. Liu can be given an opportunity to remain in this country to serve them.

With gratitude for your help and with best wishes for your great success in every undertaking, I am,

Sincerely yours,

Rev. Philip Yung Lee. *Pastor.*

LOUIS A. WEISS MEMORIAL HOSPITAL,
Chicago, Ill., March 21, 1955.

Hon. PAUL H. DOUGLAS,
United States Senator,
United States Courthouse, Chicago, Ill.

DEAR SENATOR DOUGLAS: I have known Dr. Wei-Chi Liu for the past 3 years and he is anesthesiologist at the Franklin Boulevard Community Hospital in Chicago.

Doctor Wei-Chi Liu graduated from the National Central University, Nanking, China, 1949. He served his internship at the Southern Pacific Hopsital, San Francisco, Calif., 1949–50, and had his residency training program in anesthesiology at the Mount Sinai Hospital in Chicago 1950–52. From 1952 to the present, he is anesthesiologist at the Franklin Boulevard Community Hospital in Chicago and is pursuing postgraduate work in pharmacology at the University of Chicago, under the guidance of Prof. E. M. K. Geiling.

Doctor Liu commands respect from the attending physicians and other personnel at the hospital. He is industrious, dependable, well trained, and has a very pleasing personality. His service to the hospital and his usefulness to the community reflect the nature of his continued helpfulness for the citizenry in our heavily populated area.

I recommend that the services of Dr. Wei-Chi Liu be continued and I would appreciate every just effort on your part, Senator Douglas, to extend the residency of Dr. Liu in his present capacity. With kindest regards,

Sincerely yours,

SAMUEL A. LEVINSON, M. D.,
Director of Laboratories.

THE UNIVERSITY OF CHICAGO,
DEPARTMENT OF PHARMACOLOGY,
Chicago, Ill., April 5, 1955.

Hon. Senator PAUL DOUGLAS,
Senate Building, Washington, D. C.

DEAR SENATOR DOUGLAS: I understand that you have been asked to introduce a special bill to grant citizenship to Dr. Wei-Chi Liu, M. D., of the National Central University, Nanking, China, June 1949.

Dr. Liu came to the United States in June of 1949, entering on a student visa. He is a very competent and qualified anesthesiologist and has been chief of this service at the Franklin Boulevard Community Hospital since October 1952. He has been a graduate student working toward an advanced degree in the department of pharmacology. We have found him to be a well-trained and skillful individual, very critical of his own results, and, above all, a man of high integrity. We, therefore, take pleasure in supporting his application for a change of status from student to permanent resident.

With cordial greetings, I am,

Very sincerely yours,

E. M. K. GEILING, Ph. D., M. D.,
FRANK P. HIXON,
Distinguished Service Professor,
Chairman, Department of Pharmacology.

CHICAGO, ILL., *March 7, 1955.*

Senator PAUL H. DOUGLAS,
Senate Office Building, Washington, D. C.

DEAR SENATOR DOUGLAS: I wish to inform you that I have known Dr. Wei-Chi Liu for the past 5 years both as an anesthetist at the Mount Sinai Hospital of Chicago and for the past 3 years as an anesthetist at the Louis A. Weiss Memorial Hospital, Chicago.

I can only speak of him in the highest praise as a gentleman. His professional abilities as an anesthetist also is of the very highest quality. We consider him most indispensable at both the Franklin Boulevard Community Hospital and Louis A. Weiss Memorial Hospital. He has always been willing to step into a place where he is urgently needed to render his services. He recently took over the duties of head anesthetist for one of our doctors who had to serve with the Armed Forces and immediately gave up this position to the man when he returned from the service and with dignity accepted a subservient position.

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He could be of great service to the above-named institutions if he could be helped by you to receive a permanent residency in the United States. I would appreciate anything you might be able to do for Dr. Wei-Chi Liu.

Sincerely yours,

SIEGFRIED F. STRAUSS, M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2201) should be enacted.

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Calendar No. 1534

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1511

PIL NYI KWAK

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2249]

The Committee on the Judiciary, to which was referred the bill (S. 2249) for the relief of Pil Nyi Kwak, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Pil Nyi Kwak. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 39-year-old native and citizen of Korea, who last entered the United States on November 24, 1949, as a student. In June 1954, the beneficiary was graduated from the University of Omaha with a Bachelor of Science degree in home economics. The beneficiary is now serving as a dietary intern at the Colorado State Hospital, where it is stated that she is doing an outstanding job. The beneficiary's husband and two children were killed during World War II. She has no relatives other than a brother whom she last saw in 1944.

A letter, with attached memorandum, dated August 31, 1955, to the chairman of the Senate Committee on the Judiciary from the Commission of Immigration and Naturalization with reference to the case, reads as follows:

90006°—57 S. Rept., 84-2, vol. 6——31

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 31, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2249) for the relief of Pil Nyi Kwak, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Denver, Colo., office of this Service, which has custody of those files.

The bill would grant this alien the status of permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate quota.

The beneficiary is chargeable to the quota of Korea.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE PIL NYI KWAK, BENEFICIARY OF S. 2249

Pil Nyi Kwak, a Korean subject, was born August, 3, 1916, at Pyung Yang, Korea. She is a widow and resides in Pueblo, Colo.

The beneficiary is presently serving as a dietary intern at the Colorado State Hospital, Pueblo, Colo., at a salary of $155 per month. She has no assets other than her personal effects. In June 1954, she graduated from the University of Omaha and was awarded at bachelor of science degree in home economics.

Miss Kwak has no relatives in the United States. Her only relative abroad, if still living, is a brother in Korea whom she last saw in 1944. Her husband and two children were killed in an air raid during World War II.

The beneficiary was admitted to the United States as a student on November 24, 1949, for a period of 1 year. She has been granted several extensions of stay, the last of which expires on August 15, 1955.

Senator Roman L. Hruska, the author of the bill, has submitted a number of letters in support of the bill, among which are the following:

PUEBLO, COLO., *July 26, 1955.*

The Honorable Senator ROMAN LEE HRUSKA,
United States Senate Building, Washington D. C.

DEAR SENATOR HRUSKA: Miss Pil Nyi Kwak, a dietetic intern at Colorado State Hospital, has requested that I write a personal recommendation to your office. I am glad to have the opportunity to speak in behalf of Miss Kwak.

During the year's internship I have had Miss Kwak under my direct supervision in therapeutic dietetics and have had many personal contacts with this industrious young woman. I feel that the desire for greater knowledge and understanding of nutritional research has given Miss Kwak strength to continue her studies when language barriers, and personal as well as financial problems might have discouraged her.

Miss Kwak is thorough in her work and strives earnestly to accomplish her assignments with a keen sense of perfection.

Miss Kwak is neat in her personal grooming and displays orderliness in organization of personal activities as well as in her work. Her integrity is unquestionable, and her every thought is dedicated to the actual accomplishment of the major goals and ideals in her life.

Sincerely yours,

CHARLOTTE RITCH,
Therapeutic Dietitian, Colorado State Hospital.

DEPARTMENT OF PSYCHOLOGY,
COLORADO STATE HOSPITAL,
Pueblo, Colo., July 30, 1955.

Senator ROMAN LEE HRUSKA,
United States Senate, Washington, D. C.

DEAR SIR: I am writing on behalf of Miss Pil Nyi Kwak who is presently serving her internship in the dietary department of the Colorado State Hospital. I understand that you are sponsoring special legislation in Congress on her behalf.

I have known Miss Kwak socially for the past 10 months and I have been very much impressed by her conduct and character. I do not know anything about the quality of her work, but I do know that she is an intelligent and forthright person. She is spontaneous in her behavior and she has a refreshing sense of humor. She is very easygoing and one has no difficulty getting along with her, yet she appears to demand a lot of herself as she often seeks reassurance about the correctness of her conduct.

It is my feeling that she has a depth of character and an appreciation of what she has received from this country that would put many of us who have our citizenship by birth to shame. I believe most strongly that Miss Kwak would be an outstanding citizen of our country and I give my heartiest support to the legislation which you are sponsoring.

Very truly yours,

JOHN S. MILLER.

OMAHA, NEBR., *July 9, 1955.*

To Whom It May Concern:

I am interested in setting forth the qualities of character and personality of Miss Pil Nyi Kwak that would help her win citizenship in our country.

I knew her the 4 years she was in the University of Omaha. She was in my classes. She is strictly honest and forthright even when it did not advance her position. I think she has sincere appreciation and thorough understanding of the ideals, responsibilities, and rewards of residence and citizenship in the United States.

When I think of her dogged persistence in overcoming the language handicap, I marvel that a human could persevere as she did. Many times I have seen her ponder over the spoken English word, its spelling, translate it into Japanese and then into Korean, then give the answer. Several, perhaps many times she has stayed up all night doing over and over an English theme.

Her limited funds made the financial side most difficult. For housing, she bought a trailer and kept house in that in a rather inaccessible trailer camp. During the school years, her entire attention was given over to her educational effort. For short periods, she was allowed to earn money. It was never an ample amount. She somehow managed to make her money stretch though it caused worry and self sacrifice.

Miss Kwak is a leader in any group, not one of the noisy, self-appointed ones. She wins her position by her friendliness, her quiet dignity and wisdom.

Miss Kwak is always tastefully and appropriately dressed. Even on her slender funds, she is always well groomed and pleasing in appearance. Also in social situations, she always seems to know just what to do and how it should be done. She is very poised.

This is my considered judgment. I do not feel it is an overstatement in any way.

Yours very truly,

NELLIE NOBLE JONES
Mrs. Ira O. Jones.

THE UNIVERSITY OF OMAHA,
COLLEGE OF APPLIED ARTS AND SCIENCES,
Omaha, Nebr., July 7, 1955.

Hon. ROMAN HRUSKA,
United States Senate, Washington, D. C.

SIR: You know that I have supervised the educational training of Miss Pil Nyi Kwak for 4 years while she attended the University of Omaha and received her bachelor of science in home economics degree. I also have known of her work on the dietary internship in a Colorado hospital this past year.

I must say that an individual starting with the handicaps she had and progressing as well and as far as she has certainly will make an excellent United States citizen. She has certainly shown herself to be self-supporting throughout. I would recommend that she become a citizen of the United States, and I have no doubt that she will make one of the best.

Very truly yours,

C. W. HELMSTADTER, *Dean.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2249) should be enacted.

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Calendar No. 1535

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1512

YU HENG GEE

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2264]

The Committee on the Judiciary, to which was referred the bill (S. 2264) for the relief of Yu Heng Gee, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Yu Heng Gee. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native and citizen of China, who last entered the United States on March 3, 1949, as a student. On May 4, 1955, the beneficiary married a lawful permanent resident of the United States. The beneficiary received a master of science degree in engineering from Iowa State College in 1951, and he is presently employed by the Iowa State Highway Commission as an engineer in the bridge design department, where officials state that his services are urgently needed.

A letter, with attached memorandum, dated August 31, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 31, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2264) for the relief of Yu Heng Gee, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Omaha, Nebr., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate quota.

The beneficiary is chargeable to the quota for Chinese.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE YU HENG GEE, BENEFICIARY OF S. 2264, 84TH CONGRESS

The beneficiary, Yu Heng Gee, also known as Henry Y. Gee, a native and citizen of China of the Chinese race, was born on April 4, 1923. He was married to a native and citizen of China on May 4, 1955. His wife is a lawful resident alien. He is presently residing at 1317 Carroll Avenue, Ames, Iowa.

The beneficiary is employed as a civil engineer by the Iowa Highway Commission at a salary of $5,580 per year. He received a bachelor of science degree in China in 1946 and a master of science degree in engineering from Iowa State College in 1951. His assets are valued at $4,600. His parents and a sister reside in China. The present whereabouts of two brothers are unknown.

The beneficiary entered the United States as a student at San Francisco, Calif., on March 3, 1949. Extensions of stay were granted to September 12, 1952. Deportation proceedings were instituted on the ground that he failed to comply with the conditions of his status. At a hearing on July 19, 1955, the special inquiry officer ordered that he be deported. The beneficiary's application for adjustment of status under section 6 of the Refugee Relief Act of 1953, as amended, was denied on April 12, 1955. There appears to be no administrative relief available to the beneficiary at this time.

The beneficiary has had no military service and is not required to be registered under the Universal Military Training and Service Act.

Mr. Gee is also the beneficiary of H. R. 7175, 84th Congress.

Senator Thomas E. Martin, the author of the bill, wrote to the chairman of the Senate Judiciary Committee on January 18, 1956, as follows in support of the bill:

UNITED STATES SENATE,
Washington, D. C., January 18, 1956.

Re S. 2264, for the relief of Yu Heng Gee

Hon. HARLEY M. KILGORE,
Chairman, Judiciary Committee,
United States Senate, Washington 25, D. C.

DEAR MR. CHAIRMAN: I shall appreciate very much your giving special handling to S. 2264 which I have introduced in behalf of Yu Heng Gee. Mr. Gee's permanent status is highly important to the Iowa State Highway Commission where he is presently employed as an engineer in the bridge design department.

Anything you can do to get early action by your committee on my bill in his behalf will be more than appreciated not only by me but by the officials of the Iowa State Highway Commission.

Sincerely yours,

THOS. E. MARTIN.

In addition, Senator Paul H. Douglas submitted to the Senate Committee on the Judiciary the following letter in support of the bill:

THE COLLEGE OF THE BIBLE,
Lexington, Ky., July 27, 1955.

Senator PAUL H. DOUGLAS,
Senate Office Building, Washington, D. C.

DEAR PAUL: When I got home tonight I found a letter here from a relative in Ames, Iowa, enclosing this clipping about Mr. and Mrs. Henry (Yu-heng) Gee. I have tried not to bother you about any personal matter but, as this clipping says, it is necessary for a bill to be passed through Congress to prevent his being sent back to China. I am writing you so that you will know the score when the bill comes up in the Senate.

The Senate bill has been introduced by Senator Tom Martin of Iowa.

Mrs. Smythe and I lived next door to the Gee family (Henry's parents) all the time that we were in Nanking of the 23 years we were in China. Henry was here last year for a visit with us and we have kept in touch with him ever since he came to Iowa State College the winter of 1948–49.

Henry loves America and as you will see from the clipping he has made good here as a structural engineer in Iowa where he is employed by the highway commission. Henry is a good Christian man, keen, and a hard worker. So Mrs. Smythe and I think he would make an excellent American citizen.

His father was the engineer and architect for the University of Nanking all the years that we were there and ever since 1927 has been a big help to all Americans there and to American mission organizations in the area.

I can assure you that it is best for all concerned that Henry Gee be allowed to stay in this country and become an American citizen.

Good luck to you in this busy week.

Cordially yours,

LEWIS SMYTHE.

P. S.—As well as we know him, Henry has made no request to us to help him on this. I am writing on my own initiative.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2264) should be enacted.

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Calendar No. 1536

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1513

DOMINGO LIM (ALSO KNOWN AS LIM ENG KOK AND DOMINGO LIM CHAY SENG)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2284]

The Committee on the Judiciary, to which was referred the bill (S. 2284) for the relief of Domingo Lim (also known as Lim Eng Kok and Domingo Lim Chay Seng), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Domingo Lim (also known as Lim Eng Kok and Domingo Lim Chay Seng). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 35-year-old native of the Philippine Islands and citizen of China, who last entered the United States on August 31, 1948, as a student. He attended the University of California and has obtained his master of arts degree. For the past 3 years, the beneficiary has been employed by the Chinese Branch of the Voice of America as a radio producer and translator. The Chief of the Chinese Branch states that the beneficiary's services have been very valuable in combatting communism and promoting freedom. If permitted to remain in this country, the beneficiary will be recommended for appointment to the United States Information Agency as a full-time regular member of the Chinese Branch.

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A letter, with attached memorandum, dated September 14, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 14, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2284) for the relief of Domingo Lim (also known as Lim Eng Kok and Domingo Lim Chay Seng) there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Baltimore, Md. office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for the Chinese.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DOMINGO LIM, BENEFICIARY OF S. 2284

Domingo Lim, who is also known as Lim Eng Kok and Domingo Lim Chay Seng, is a citizen of China. He was born on August 4, 1920, in Manila, Philippine Islands. Mr. Lim is single and resides at 7113 Woodland Avenue, Takoma Park, Md. He has been employed by the Voice of America since November 1952 in the capacity of a radio producer and translator. He is presently stationed at Washington, D. C., in such capacity. His salary is $100 per week. His assets consist of $2,000 in savings. Mr. Lim holds the degrees of master of arts and bachelor of science. He has no close relatives in the United States. His mother resides in the Philippine Islands. His father is deceased.

Mr. Lim was admitted to the United States on August 31, 1948, at Seattle, Wash., as a student. His status was subsequently changed to that of a visitor. He failed to comply with the conditions of his visitor's status and deportation proceedings were instituted against him. He was found deportable and an order for his deportation was issued. Such order is outstanding.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in support of the bill, among which are the following:

TAKOMA PARK, MD., *May 10, 1955.*

Hon. HERBERT H. LEHMAN,
United States Senate, Washington, D. C.

DEAR SENATOR LEHMAN: As a former resident of New York and long time admirer of yours, I am taking this privilege of bringing a matter of personal concern to your attention. Your conspicuous interest in the advocacy of liberal policies, domestic as well as international, encourages me to believe that you will appreciate my situation and intercede in my behalf.

In compliance with the kind suggestion of your able assistant, Mrs. Ruth Schneider of your special bill office, and in addition to the memorandum that I have already submitted regarding my application for relief through private legislation, the following is a brief résumé of my personal background for your kind consideration.

MY BACKGROUND IN DETAIL

My name: Domingo Lim.
My Chinese name: Lim Eng Kok.
My other known name: Domingo Limchayseng.
My date and place of birth: August 4, 1920, Manila Philippines.
My marital status: Single.
My file number: The Immigration and Naturalization Service, New York had assigned the number E–118674 as their file number. Baltimore Office's

number is A–6263840 under the new procedure whereby a permanent number is assigned to all aliens. This latter number appeared on their letter to me dated March 24, 1955.

My status: The district director of Immigration and Naturalization at 341 Post Office and United States Courthouse, Baltimore 2, Md., by letter of March 4, 1955 advised me to present a valid passport, other travel documents and a reservation for transportation on or before May 2, 1955. In the event of my failure to present such papers by that date, an ultimate order will become effective as of that date and I shall be taken into custody and deported. A letter requesting postponement of my departure date in order to afford me more time to work on my special bill had been written on my behalf by the Personnel Department of the United States Information Agency, Washington, D. C. on May 2, 1955. I personally called on the Immigration office at Baltimore and presented the letter to the officer in charge of my case, Mr. L. J. McCarthy of the Deportation and Parole Section on the same date. I was informed by Mr. McCarthy himself that the letter will be presented to the district director for consideration and that I shall be notified by mail accordingly at a future date.

My schooling, 1939–41: After receiving my high school diploma from the American Jesuit College, Ateneo de Manila, Manila, Philippines, I entered the University of the Philippines, Manila, where I completed my prelaw course I then enrolled in that university's school of law. Unfortunately, my legal studies were interrupted by World War II while I was still in my freshman year.

Wartime, 1941–45: When the Japanese Army occupied Manila, Philippines, they immediately interned all the prominent local Chinese citizens. Among those interned were my half-brother, Mr. James Limpe, and Mr. Lim An, a very close friend of the family whom, together with Mrs. Lim An, I address as uncle and aunt. I was immediately "drafted" by my aunt, Mrs. Lim An, to help her run her family business, the Philippine American Cigarette Factory located in Pasay, Rizal, Philippines. I aided her in various capacities such as bookkeeper, cashier and factory manager in charge of production and labor relations. Our record of good management helped to keep the factory out of Japanese hands for some time. However, when the factory was finally commandeered by the Japanese Army, its name was changed to Dai Toa Cigarette Factory in accordamce with Japanese military directive. Aside from a chief Japanese supervisor, the management and personnel remained the same since nobody was allowed to resign. I was most miserable in my job because I was anti-Japanese. I tried to resign many times but without success. Finally when my uncle was released from the Japanese prison, I was able to terminate my relationship with the factory.

Prior to my resignation from the factory, the Japanese Army had violated international law by executing all the Chinese consular officials in Manila. The widows and dependents of the consuls were placed in extreme hardship and in desperate financial plight. I voluntarily came to their aid by soliciting financial and material aid from sympathetic and patriotic members of local Chinese community. Upon my release from the cigarette factory, I devoted full time in serving the consular household in whatever capacities required of me until the return of the United States Army. During the last few months before our liberation, I acted as personal bodyguard and aid to Mrs. Kuangson Young, the widow of the Chinese Consul General. I also served as confidential liaison of the consular household and the local Chinese guerrilla organizations, then very active in fighting what was left of the Japanese Army and Marine.

Mrs. Juliana Young, the widow of Dr. Clarence Kuangson Young, was the head of the consular household throughout the Japanese occupation days in Manila. She is presently residing in New York City and is connected with the Protocol and Liaison Department of the United Nations in New York City.

Reserve officer: I was a commissioned reserve officer in the Philippine Army after finishing my Reserve Officer's Training Corps course at the University of the Philippines and at Camp Canubang, Calamba, Philippines. Gen. Douglas MacArthur ordered the ROTC disbanded due to unfavorable conditions upon the Japanese invasion of the Philippines Islands. Many Reserve officers were alerted for duty but were not called into actual service.

1946–51: I left Manila, Philippines on February 22, 1946 after having acquired my full clearance from the Counter Intelligence Corps of the United States Army in Manila. I completed my undergraduate course in political science and graduate course in international relations at the University of California, Berkeley, Calif. I maintained above B scholastic average. For one school semester, I served as chairman of the Chinese Table at the International House, Berkeley, Calif. where I was in charge of various cultural and social activities among the

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Chinese and foreign resident students of the house. I was outspokenly pro-Nationalist and anti-Communist and had engaged in pro-Nationalist debates sponsored by the International House. I also served for one school semester as a member of the student council at International House as a representative for the Asian group. Likewise for one school term, I was a member of the Catholic Newman Club at Berkeley, Calif. Aside from the Newman Club and the International House, I did not join any other organizations.

1951 to date: It was my firm determination to return to China upon completion of my studies in this country. However, world events particularly that in China made this impossible. I then came East where I got a job as a special guest student training exclusively with the foreign department of the Chase National Bank's head office in New York City. During this period, I was asked by an employee of the Chinese Branch of the Voice of America whether I would be able to give part-time service to the "Voice." Without hesitation, I accepted the offer voluntarily and my duties involved were to participate as actor in dramatic plays, package shows, and to serve as "disc-jockey" in our music shows generally in Amoy dialect. I worked part-time on a purchase-order basis under the supervision of Mr. John Bottorff, presently the Chief of the Mandarin Section of the Chinese Branch at the "Voice." Later, I worked full time on a purchase-order basis as a producer and tape editor in charge of broadcasts beamed directly to the Chinese mainland and to overseas Chinese listeners. In performing my duties with the "Voice," I was called names by my former acquaintances and schoolmates who have since returned to the mainland. I was called everything from "American Running Dog" to "Chinese Traitor." I knew what I was getting into when I began working for the Voice of America. However, I felt it was a great honor and privilege to be able to contribute in my small way toward a Government whose principles I cherish and firmly believe in.

To date, my services are still being utilized by the Voice of America as a producer and tape editor in the Chinese Branch on a full-time purchase-order basis. I earn approximately $100 per week. Since I am neither a permanent resident nor a citizen of the United States, I understand I cannot be used as a regular employee of the "Voice" even though I have been offered full-time position by the Chinese Branch of the "Voice".

I realize I have not done anything "spectacular" but rather my work has been continuous and sincere. As long as my services are needed. I would like to remain here, to become a citizen eventually and to continue serving the "Voice" to the best of my abilities.

And inasmuch as all administrative procedures to let me remain in this country permanently have been applied and exhausted, I humbly appeal to you, Senator, to intercede on my behalf through a private bill so that I may continue to concentrate my full effort in my present job.

Very respectfully yours,

DOMINGO LIM.

UNITED STATES INFORMATION AGENCY,
Washington, May 13, 1955.

To Whom It May Concern:

Mr. Domingo Lim's services have been used as a purchase-order vendor for the Chinese Branch of the Voice of America since April of 1952. For a portion of this time, I have been associated with him.

I have a high regard for his ability, his intelligence, and his loyalty to his work and his colleagues. His services have been very valuable to us in our task of combating communism and promoting freedom. As soon as Mr. Lim's immigration status is favorably adjusted, I proposed to recommend his appointment to the United States Information Agency as a full-time regular member of the Chinese Branch.

GERALD STRYKER,
Chief, Chinese Branch, Voice of America.

UNITED STATES INFORMATION AGENCY,
Washington, March 21, 1955.

To Whom It May Concern:

Mr. Domingo Lim is presently engaged as a radio producer on a purchase-order basis under my direct supervision with the Chinese Branch of the Voice of America, a major part of the United States Information Agency.

In his capacity as a radio producer, Mr. Lim helps working out the smooth operation and functioning of the Voice's daily air shows beamed directly to the Chinese mainland and to Chinese overseas audience in three different dialects: Amoy, Cantonese, and Mandarin in which Mr. Lim has excellent command. Our programs are primarily anticommunistic, the constant theme being to emphasize the virtues of the United States and contrast them with the evils of communism all over the world, with special emphasis of that in China. Mr. Lim's other duties are: to conduct rehearsal and to direct the final recording of our package shows designed for the Chinese overseas consumption; to audit scripts and to edit tapes; and to work closely with our writers and editors in preparation of complex programs for propaganda with artistic effectiveness.

In my years of association with Mr. Lim, I find him a man of high moral standing, integrity and reliability. His sincerity, devotion, and loyalty in the performance of his daily duties have been quite outstanding that I regard him as one of my ablest assistants among my staff.

I personally feel that an experienced talent with solid educational background and training like Mr. Lim is extremely hard to find in this country, particularly with respect to our line of work. Therefore, I would not, as his immediate superior, hesitate for a moment to recommend Mr. Lim's present application for permanent residency in this country and his eventual citizenship thereof be given utmost consideration.

Very truly yours,

TAN, YUN-I,
Producer-Director, Chinese Branch.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2284) should be enacted.

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Calendar No. 1537

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1514

MISS PILAR A. GARCIA

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2349]

The Committee on the Judiciary, to which was referred the bill (S. 2349) for the relief of Miss Pilar A. Garcia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Miss Pilar A. Garcia. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of the Philippines whose only entry into the United States was at San Francisco, Calif., on August 24, 1949 as a student. She has a degree of doctor of philosophy in the field of nutrition and is now on the research and teaching staff of the Iowa State College. It is stated that she is valuable to the staff because of her training and experience and that she would be difficult to replace. The beneficiary is unmarried. She has a married sister living in California, and two brothers are in the United States on student visas.

A letter, with attached memorandum, dated August 1, 1955 to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 1, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2349) for the relief of Miss Pilar A. Garcia, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Omaha, Nebr. office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon the payment of the required visa fee. It would also direct that one number be deducted from the appropriate quota for the first year that such quota is available.

The beneficiary is chargeable to the quota of the Philippines.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MISS PILAR A. GARCIA, BENEFICIARY OF S. 2349, 84TH CONGRESS

The beneficiary, Pilar A. Garcia, whose full name is Pilar Angeles Garcia, a native and citizen of the Philippines, was born on November 4, 1926. She has never married and resides at 2012 Greenbrier Ciricle, Ames, Iowa.

The beneficiary is a graduate assistant in the home economics department at Iowa State College. She has completed classwork for her doctor of philosophy degree and is presently preparing her thesis and studying for the oral examinations. Her earnings are $150 per month. Her assets consist of $700 savings. Her parents, 2 brothers and 3 sisters reside in the Philippines. Two brothers are temporarily in the United States as students. One sister is married and resides in California.

The beneficiary's only entry to the United States was as a student at San Francisco, Calif. on August 24, 1949. She received extensions of stay to March 4, 1954. Deportation proceedings were instituted on the ground that she failed to maintain her nonimmigrant status and the special inquiry officer on July 19, 1955, granted her the privilege of departing voluntarily from the United States with the proviso that failure to depart would result in an order of deportation. Her application for adjustment of status to that of a permanent resident was denied on June 13, 1955, for the reason that no visa was available. There appears to be no administrative relief available to the beneficiary at this time.

Senator Thomas E. Martin, the author of the bill, has submitted the following information in connection with the case:

IOWA STATE COLLEGE,
OF AGRICULTURE AND MECHANICAL ARTS,
Ames, Iowa, June 22, 1955.

The Honorable THOMAS MARTIN,
Senate Office Building, Washington, D. C.

DEAR Mr. MARTIN: I am writing at this time asking you to intercede with the Commissioner of Immigration in Washington, D. C. to secure a reversal of decision regarding the application of Miss Pilar Garcia of the Philippine Islands for permanent residence in the United States.

Miss Garcia will receive the Ph. D. in nutrition from the Iowa State College in July 1955. There is a dearth of people with her training in the field of nutrition, and we hope very much that we can retain her on our research and teaching staffs during the next academic year.

I shall appreciate any assistance that you can give.

Yours truly,

PEARL P. SWANSON,
Assistant Director, Iowa Agricultural Experiment Station.

REGARDING PILAR A. GARCIA

Pilar A. Garcia is a citizen of the Philippine Islands and is currently completing her graduate study at Iowa State College. She received her bachelor of science degree in pharmacy at the University of the Philippines in 1948. Thereafter she entered the United States on a student visa and enrolled at the University of Michigan at Ann Arbor. In 1950 she received a master of science degree in botany from that school. She transferred to Iowa State College and in 1952 received a master of science degree in nutrition. She has continued graduate study in nutrition at Iowa State, and at the present time has completed her work pursuant to a Ph. D. in that field with the exception of her thesis which she intends to write this summer. She expects to be awarded her final degree in August 1955. Pending continuance of her visa she will be appointed to the staff of Iowa State College in September 1955. The appointment will be a joint one between the home economics research department of the Iowa Agricultural Experiment Station and the department of food and nutrition. She will devote two-thirds of her time to research and one-third to teaching.

Miss Garcia entered the United States on a student visa on August 24, 1949. In February of 1954, having decided to establish permanent residence in the United States if possible, she applied for an adjustment of status from the student visa to a permanent residence visa under the preference quota. This action necessarily terminated her student visa. Her application for status as a permanent resident of the United States has recently been denied by the United States Department of Justice, Immigration and Naturalization Service in Chicago, because neither a quota visa nor a preference quota visa was available at the time of application. Right to appeal to the Chicago office was granted and Miss Garcia has done this.

Miss Garcia is a person of high moral character, professionally minded, a hard worker, and very intelligent. Her desire to remain permanently in the United States stems from a strong and sincere belief in our democratic society. I have every confidence that with her high sense of integrity and her rich technical background she would more than justify any effort expended in behalf of her desire to remain in this country.

I would mention briefly her family background which indeed speaks for itself. Her father is a graduate of Columbia University in New York City with a Ph. D. in law. He is a professor of law at the University of the Philippines at Quezon City. Her mother has a master's degree in education and currently divides her time between teaching and maintaining the family home. Pilar is the second of 10 children 8 of whom are engaged in educational pursuits. Among them are an older sister who is a doctor of medicine working with the Philippines Government; a younger sister who is an elementary schoolteacher in the Philippines, a brother doing undergraduate work in law at the University of the Philippines, another brother at the University of Southern California at Los Angeles doing graduate work in commerce, one brother is studying agronomy at Iowa State College, another brother is a premedical student at the University of the Philippines, and the youngest member of the family is a sophomore in high school at Quezon City.

Pilar's own good work as a student at Iowa State will be affirmed by Dr. Pearl Swanson, in whose department she is presently employed and by Dr. Charlotte Roderuck, her major professor.

There is a great dearth of people with her professional training and her services are greatly needed at the Iowa State College.

AMES, IOWA, *May 26, 1955.*

Hon. BOURKE B. HICKENLOOPER,
Senate Office Building, Washington, D. C.

Hon. THOMAS E. MARTIN,
Senate Office Building, Washington, D. C.

GENTLEMEN: Transmitted herewith is a letter addressed to you jointly by Miss Pilar A. Garcia of the Philippines, who came into this country on a student's visa and who is now doing graduate work at Iowa State College.

Miss Garcia lives just across the street from me here in Ames. She has on several occasions, been a guest in my home. I know her well.

Miss Garcia is a thoroughly reputable person; an excellent student; doing good work at Iowa State College and wholly deserving of any assistance you may be able to give her. She comes from a good family. Her father is a lawyer in Manila. As I understand it, he specializes in international law. The Garcia

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family is well acquainted with the family of President Magsaysay of the Philippines. So far as I am aware, there is no relationship between the two families. These remarks with respect to Mr. Garcia, the Garcia family and the Magsaysay family are made wholly on my own initiative, from information learned many months ago. Miss Garcia has never mentioned these family matters to me in connection with her visa adjustment problem. I thought this information would be of assistance to you.

I will appreciate it as a personal favor, if you could have Miss Garcia's visa adjustment application checked up with Immigration and Naturalization authorities and assist her in any way you can. I will vouch for Miss Garcia.

Sincerely yours,

FRED R. WHITE.

AMES, IOWA, *May 26, 1955.*

Hon. BOURKE B. HICKENLOOPER,
Senate Office Building, Washington, D. C.
Hon. THOMAS E. MARTIN,
Senate Office Building, Washington, D. C.

GENTLEMEN: I am a student at the Iowa State College in Ames doing graduate work in the field of nutrition. My home country is the Philippines and I have been in the United States for 6 years. My increasing interest in carrying out fundamental nutrition research has led me to decide on staying in this country where the work is most active. I, therefore, wish to present my case to you hoping you would intercede for me regarding my application for readjustment of status. Prior to the submission of my application for such an adjustment, I was on a student's visa. A permanent resident visa will make me eligible to apply for a United States citizenship.

When I started working toward my doctorate in nutrition 2 years ago, I decided to inquire about the possibilities of obtaining a permanent resident's visa. Upon the suggestion of the Immigration and Naturalization Office in Omaha, Nebr., I made my application for a change of status claiming preference quota. My recommendations, according to the immigration inspector, were favorable and would entitle me to first preference. However, I was also told that my case still stands a chance of being disapproved on the grounds that a quota visa may not be available at the time of application which is one of the conditions stated under a particular section of the immigration laws. In the event my application is turned down, I would be subject to immediate deportation since at the present time I have no status. My application for status as permanent resident terminated my nonimmigrant status. I have not received any notification as yet that my application for permanent resident status did not go through. However, since I have accepted a teaching and research position on the nutrition staff at the Iowa State College starting next fall, I do not want to take the chance of being deported. For this reason, I wish to ask you to intercede for me at the Immigration and Naturalization Office in Washington, D. C., in case the decision turns out to be unfavorable.

I wish to refer you to Dr. Pearl P. Swanson, assistant director of the Iowa Agricultural Experiment Station and Dr. Ercel Eppright, head of the food and nutrition department at the Iowa State College in Ames regarding my character and school work. I am also most grateful to Mr. Fred R. White, former chief engineer of the Iowa State Highway Commission, for offering to introduce me to both of you.

Very truly yours,

PILAR A. GARCIA.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2349) should be enacted.

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Calendar No. 1538

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1515

RENATE KAROLINA HORKY

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2358]

The Committee on the Judiciary, to which was referred the bill (S. 2358) for the relief of Renate Karolina Horky, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child to be adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is an 11-year-old native and citizen of Austria. Her mother was married in Germany on May 26, 1955, to Sgt. Chester M. Zentner, a United States citizen and a member of our Armed Forces. The family presently resides in Germany where Sergeant Zentner is stationed.

A letter, with attached memorandum, dated November 17, 1955, to the chairman of the Senate Judiciary Committee from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., November 17, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington 25, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2358) for the relief of Renate Karolina Horky, there is attached a memorandum

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of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill. office of this Service, which has custody of those files.

The bill would confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the child shall be considered the natural-born alien child of a United States citizen.

As a quota immigrant the child would be chargeable to the quota of Austria.

Sincerely,

——— ——— *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE RENATE KAROLINA HORKY, BENEFICIARY OF S. 2358

Information concerning this case was obtained from Sgt. Chester M. Zentner stepfather of the beneficiary.

The beneficiary, Renate Karolina Horky, a native and citizen of Austria, was born on June 11, 1944. She is presently residing at Kaiserslautern Lethringer Dell I, Germany, where she attends school. She has never been in the United States. An aunt resides in Pemberton, N. J.

Sgt. Chester M. Zentner was born in Minoqua, Wisc., on December 20, 1923. He was married to Brigitte Horky, the beneficiary's mother, on May 26, 1955 in Germany. Sergeant Zentner has served in the United States Army since March 1948 and presently earns $2,700 per year. He is presently stationed in Germany where he resides with and supports his wife, her son, Werner Jack Horky, and the beneficiary.

Senator Joseph R. McCarthy, the author of the bill, submitted the following information in support of the bill:

JUNE 11, 1955.

Senator JOSEPH R. MCCARTHY,
United States Senate, Washington, D. C.

DEAR SIR: I am Sfc. Chester M. Zentner. My permanent residence in the States is Rhinelander, Wis. However, at the present time I am stationed with the Army at Kaiserslantern, Germany. About 6 years ago I met and fell in love with Brigitte Horky. Recently we were married. When I met my wife she had had an illegitimate child, Renate Karolina Horky. This child was born on June 11, 1944, at Traun, Austria, and is an Austrian national.

At the present time I am scheduled to rotate to the United States on August 16. Recently I began to seek advice to see what had to be done to get Renate to the States. Naturally, I want to take her into my family. I've known the child for some 6 years now, and have grown to love her as my very own. I am the only father she has ever known and will ever know. I have been supporting her for some five years now and will be for the rest of my life.

Today I went to the visa section of the United States consulate in Frankfurt on Main, Germany. They told me that because of Renate's age, and the fact that she was illegitimate that she couldn't get into the States on a visa. They further told me that even if I adopted Renate here, she couldn't get to the States. The only thing that can be done is to have a private bill passed by Congress admitting her to the States. Thus, sir, I write to you, my Senator, in the hope that you will be able to help me get Renate to the United States.

As I said, I love the child and regard her as my own. I am the only father she has ever known. I cannot leave her behind, I must get her to the States.

I realize that my time is very limited, sir, but could it be possible for the bill to be passed before I have to go home. I do not know what my wife and Renate will do if I am forced to leave before they can come with me.

Will you write me as soon as you possibly can, sir, and let me know if you will introduce this bill for me, and if possible, let me know when you think action will be taken.

I will send forward any documents or further information you need or desire.

God bless you!

Very truly yours,

CHESTER M. ZENTNER.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2358) should be enacted.

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Calendar No. 1539

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1516

KNAR CARMEN IVES

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2445]

The Committee on the Judiciary, to which was referred the bill (S. 2445) for the relief of Knar Carmen Ives, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Knar Carmen Ives. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 48-year-old native of Turkey and citizen of Great Britain, who last entered the United States on July 26, 1954, as a visitor. She resides with her mother and stepfather, both of whom are citizens of this country. The beneficiary's mother is blind and in poor health, as is her stepfather, and both require constant care. Because of limited finances, the beneficiary's parents are unable to hire nursing care.

A letter, with attached memorandum, dated November 17, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., November 17, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington 25, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2445) for the relief of Knar Carmen Ives, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Milwaukee, Wisconsin office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Turkey.

Sincerely,

——— ——— *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE KNAR CARMEN IVES, BENEFICIARY OF S. 2445

The beneficiary, Knar Carmen Ives, a native of Turkey and citizen of Great Britain, was born on June 22, 1907. She was married in Egypt in 1921, and her husband died in 1932. She was next married in England in 1947 to William Henry Ives. One daughter, born in 1922, is married and living in Australia. Mrs. Ives resides with her mother and stepfather at 416 Marquette Avenue, South Milwaukee, Wis.

The beneficiary is a dressmaker by profession but has not been employed in the United States. She completed 5 years elementary school in Egypt. She has no income and her assets consist of a bank account in the amount of $3,500, which is a joint account with her mother. Her husband resides at New Forest, Southampton, England, where she resided from 1947 until she came to the United States.

Mrs. Ives entered the United States as a visitor at New York, N. Y., on July 26, 1954, and was granted an extension of stay to July 25, 1955. Deportation proceedings were instituted against her on July 26, 1955, on the ground that she had failed to comply with her visitor status. She was accorded a hearing by a special inquiry officer and granted the privilege of voluntary departure with the proviso that if she failed to depart, deportation would be effected.

The beneficiary's mother, a naturalized United States citizen, and her stepfather are in failing health, and it is her desire to remain in the United States and care for them. She has exhibited correspondence from her husband indicating that he is willing that she remain in this country for this purpose.

Senator Joseph R. McCarthy, the author of the bill, submitted the following information in support of the bill:

MILWAUKEE, WIS., *June 24, 1955.*

Hon. JOSEPH R. MCCARTHY,
United States Senate, Washington, D. C.

DEAR SENATOR MCCARTHY: I would like to request that you introduce on behalf of my client, Mrs. Knar Carmen Ives, a bill to grant her permanent residence in the United States. The pertinent facts are these.

Mrs. Ives was born in Constantinople, Turkey, in 1907 and went to England in 1947 and was married the same year to a Mr. William Henry Ives, whose present age is 76 and who lives in Southampton, England. Mrs. Ives' mother, Mrs. A. Kedishian, is 75 years of age and was born in Turkey and came to the United States on June 28, 1923. She was naturalized on November 28, 1944. Mr. Kedishian is 74 years of age and was born in Turkey and came to the United States on May 23, 1913. The naturalization record of Mrs. Kedishian is of record in our Milwaukee Federal District Court.

In 1951 Mrs. Ives came to the United States on a temporary visa which was extended twice. The extensions were granted because Mrs. Ives' mother, during the period of Mrs. Ives' stay, broke her hip and needed nursing care.

Mrs. Ives again came to this country on a temporary visa from England in December 1953, which was extended to January 25, 1954, and again to July 25, 1955.

Mrs. Kedishian is blind in both eyes and has a poor heart condition and is unable to care for herself. Because of poor health, Mr. Kedishian is confined to his home. These facts can be substantiated by a doctor's certificate.

Mr. and Mrs. Kedishian have no other relatives except Mrs. Ives to care for them. The parents of Mrs. Ives are self-supporting by virtue of the fact that they have a life estate in a piece of real estate in South Milwaukee and use the income to support themselves. The title to the real estate is vested in Mrs. Ives. The parents are in such circumstances that they cannot afford nursing services without becoming dependent upon the Government. Mr. Ives consents to Mrs. Ives staying permanently in America.

Recently I requested a renewal of the temporary visa, but Mr. Clegg of the local Immigration Department indicated that the request would be denied because it appears that Mrs. Ives is no longer remaining in this country as a visitor but more as a companion and nurse to her parents.

It is urgent that some type of relief be granted Mrs. Ives inasmuch as her temporary visa expires July 31, 1955. If is my understanding that if a bill would be introduced by you requesting permanent residency for Mrs. Ives that during the pendency of this bill the local immigration authorities will extend the temporary visa until the bill is acted upon.

In view of the advanced age of Mrs. Ives' parents, I would consider it a favor and appreciate it if you would introduce a bill to accomplish this purpose.

Yours very truly,

THOMAS P. MARONEY,
Attorney at law.

P. S. Mrs. Knar Carmen Ives lives at 416 Marquette Avenue, South Milwaukee, Wis.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2445) should be enacted.

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Calendar No. 1540

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1517

PAULA EDITH REYNOLDS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2590]

The Committee on the Judiciary, to which was referred the bill (S. 2590) for the relief of Paula Edith Reynolds, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of crimes involving moral turpitude in behalf of the wife of a United States citizen member of our Armed Forces.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of Germany, who presently resides in England with her husband, Sgt. Charles J. Reynolds, a United States citizen and member of the United States Air Force. The beneficiary and her husband were married in Germany on July 21, 1953. The beneficiary has been denied an immigrant visa because of convictions for crimes involving moral turpitude. The record discloses that she was convicted in 1944 for smuggling small amounts of food and clothing to Allied prisoners, and sentenced to 6 months; in 1945, she was placed in jail for 6 weeks for nonregistration with the police; in 1948, she was convicted on two counts of larceny in that she took a pair of shoes from her employer for her own use, and a curtain from a room she had rented. For these

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offenses she was sentenced to 6 months in prison. Without the waiver provided for in the bill, the beneficiary will be unable to enter the United States with her citizen husband for permanent residence.

A letter, with attached memorandum, dated November 17, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 17, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2590) for the relief of Paula Edith Reynolds, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who have been convicted of a crime involving moral turpitude and would authorize the alien's admission to the United States for permanent residence if she is found to be otherwise admissible. The bill provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE PAULA EDITH REYNOLDS, BENEFICIARY OF S. 2590

Information concerning this case was obtained from the beneficiary's husband Charles J. Reynolds, sergeant, United States Air Force, AF 17109345.

The beneficiary's maiden name was Paula Edith Kruger. She is a native and citizen of Germany, born on July 3, 1927, in Dresden, Germany. The beneficiary has no relatives. She has never been in the United States. On July 21, 1953, she married Sgt. Charles J. Reynolds, at Weisbaden, Germany.

Sergeant Reynolds was born on May 12, 1923, at Minneapolis, Minn. and is a citizen of the United States. He was previously married on September 21, 1949. This marriage was terminated by divorce on June 20, 1950. Sergeant Reynolds has been a member of the United States Air Force since 1942. His present rating is that of technical sergeant. His income is $4,500 per year. He is presently stationed with the United States Air Force at Oxon, England, where he resides with the beneficiary.

The beneficiary indicates that she was refused an immigrant visa at the American consulate in London, England, on June 29, 1955, on the ground that she had been convicted in Germany of crimes involving moral turpitude which she committed while a minor.

The committee may wish to communicate with the Bureau of Security and Consular Affairs of the Department of State for additional information concerning the beneficiary.

Senator Hubert H. Humphrey, the author of the bill, has submitted a number of letters and documents in support of the bill, among which are the following:

UNITED STATES SENATE,
Washington, D. C., December 22, 1955.

Re S. 2590, Paula Edith Reynolds.

Senator HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR KILGORE: Forwarded herewith for the attention of the Senate Committee on the Judiciary is information in connection with my bill, S. 2590, for the relief of Paula Edith Reynolds.

Mrs. Reynolds is the wife of T. Sgt. Charles J. Reynolds, at present serving with the United States Air Force in Europe. She was declared ineligible for

admission to the United States under section 212 (a) (9) of the Immigration and Nationality Act because she committed larceny on more than one occasion.

These offenses appear to have been minor in character, and of the sort committed under the pressures of postwar European conditions over which she, like so many others, was able to exercise little control. Mrs. Reynolds, to the best of my knowledge, has since 1948 maintained a clean record.

In view of this, I feel the question of her residence in the United States with her husband at the end of his tour of duty overseas should be sympathetically considered by the committee, and I urge favorable action on S. 2590.

Sincerely yours,

HUBERT H. HUMPHREY.

DEPARTMENT OF STATE,
Washington, July 25, 1955.

Hon. HUBERT H. HUMPHREY,
United States Senate.

DEAR SENATOR HUMPHREY: Reference is made to my letter of May 27, 1955, concerning your interest in the visa case of Mrs. Edith Paula Kruger Reynolds, the wife of T. Sgt. Charles J. Reynolds, AF 17109345, Headquarters Squadron Section, 3918th Airbase Group, APO 194, United States Air Force, New York, N. Y.

A communication has now been received from the American Embassy at London which states that Mrs. Reynolds was found ineligible to receive a visa under section 212 (a) (9) of the Immigration and Nationality Act. As you may know, this section of law renders ineligible to receive visas aliens who have been convicted of or admit having committed crimes involving moral turpitude. The records in Mrs. Reynolds' case show that she was convicted of the offense of larceny in violation of section 244 of the German Criminal Code. Larceny has been held to involve moral turpitude.

Although section 4 of Public Law 770 provides for the relief of those aliens who have committed one crime involving moral turpitude definable as a petty offense, since the records in Mrs. Reynolds' case show that she committed the crime of larceny on more than one occasion, she is ineligible for the relief provided therein.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

HEADQUARTERS SQUADRON SECTION,
3918TH AIRBASE GROUP,
RAF Station, Upper Heyford, Oxfordshire, England,
December 16, 1954.

Subject: Visa case of Paula Edith Reynolds.

To: Visa Section, United States Embassy, 25 Grosvenor Square, London, England.

I am submitting the following evidence as dictated to me by my wife in order to enumerate the extenuating circumstances involved in the 4 entries on her police record from Germany:

(1) *1944.*—In 1944 Mrs. Reynolds, at the age of 16, was working at a chemical factory in Dresden. Her father was not a member of the Nazi Party. This meant that she had to take the lowest work available in a factory where nearly all her fellow Germans were strong party members. Also working in the factory at hard labor were 2 French, 2 Belgian, 1 British, and 1 Italian prisoners of war brought to the factory daily from their prison camp a short distance outside of Dresden. These Allied prisoners worked 12 hours each day without a lunch. Seeing this constant mistreatment of these people working around her until they nearly dropped prompted her to smuggle daily a few pieces of bread or whatever staple foods she could spare to these prisoners. The director caught her and threatened to turn her in to the Gestapo if she did not cease. She quit for a few weeks until she could no longer stand to see these young men starving and ill clothed. She even went so far as to give some of her father's old clothing to these prisoners. The factory director found out and promptly turned her in to the Gestapo. Subsequently she was sentenced to 6 months in a woman's reformatory.

(2) *1945.*—Upon her release from prison and her return to Dresden she found that her home was destroyed by bombing and nearly the entire city in ruins. Her relatives were living in overcrowded conditions and had not any room for her. Daily she looked for work and a place to live and at night was forced to

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sleep on a park bench until she was took in by the police for having no papers (they were destroyed with her home) and not registering with the police and was jailed for 6 weeks for nonregistration.

(3) *1947.*—During these days of the Soviet occupation the only work available was for the Russian Army or their dependents. Mrs. Reynolds worked for the Russian Army in the administration building. In her duties she had the keys to all warehouses and stores. A taxi driver asked her for a key to one of the sheds which without thinking she gave it to him. Three weeks later the Russians noted 150 tires missing. The taxi driver was apprehended and in his confession stated my wife gave him the key. When Mrs. Reynolds learned that she was to be tried for this she fled to the British Occupied Zone with only the clothes she had on and completely without funds.

(4) *1948.*—Mrs. Reynolds' first work in the British Zone was for the British Army at a garrison at Bad Rathenfelde as a housemaid. After 3 months of employment the garrison was transferred to Hanover so she had to seek new work. She went to Osnabrook and was hired from the labor office by a woman as a housemaid. She was hired to work for only room and meals; no money, no clothing. Mrs. Reynolds' only pair of shoes were in shreds and there were no shoes to be purchased even in the shops. Her employer had 14 pair of shoes and was continually getting more from a black-market source. Mrs. Reynolds twice asked her employer for a pair of her old shoes which her employer continually flaunted in front of her. She was refused. In despair Mrs. Reynolds took a pair of old used white linen shoes so that she could go to the labor office to seek new employment. She placed her own shoes in the place of the shoes she borrowed. When she returned her employer had the police waiting for her. Mrs. Reynolds was sentenced to 6 months in prison because of the 1944 case and the fact that she never served the sentence in the tire case. In each case Mrs. Reynolds was tried without council or due process of law as we know it in a democratic sense.

I now have 7½ years active duty and intend to remain in the United States Air Force until my retirement at either 20 or 30 years.

I hereby swear that these facts to the best of my knowledge are true.

CHARLES J. REYNOLDS.

As told to me by my wife—

PAULA EDITH REYNOLDS.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2590) should be enacted.

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Calendar No. 1541

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1518

ALICE DUCKETT

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1005]

The Committee on the Judiciary, to which was referred the bill (H. R. 1005) for the relief of Alice Duckett, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On line 6, insert a period after the word "Act" and strike the remainder of the bill.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Alice Duckett. The bill has been amended to delete the payment of a visa fee and deduction of a quota number, inasmuch as the beneficiary was charged to the appropriate quota and paid the required visa fee when she was admitted to the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 39-year-old native and citizen of England, who entered the United States on March 17, 1950, as a quota immigrant. It was subsequently discovered that the visa had been procured by fraud and misrepresentation, in that when applying for her visa, she presented to the American consul a British passport which bore the identifying information of another person. On July

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10, 1953, the beneficiary was married to a lawful permanent resident with whom she had lived as man and wife since 1940, at which time both were legally married to other spouses. The beneficiary's immigrant visa was obtained in the name of the then lawful wife of her husband. She is employed as a comptometer operator and is considered a key employee by her superiors. Her lawfully resident alien husband is employed as a skilled engraver.

A letter, with attached memorandum, dated May 6, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 6, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1005) for the relief of Alice Duckett, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Flint, Mich., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota. It appears that the bill is intended to grant the alien permanent residence in the United States notwithstanding the fact that she has been found subject to deportation under section 241 (a) (1) of the Immigration and Nationality Act on the ground of having entered the United States with a visa procured by fraud or misrepresentation.

It should be noted that the alien was charged to the appropriate quota upon her entry into the United States as an immigrant on March 17, 1950, when she paid the required visa fee. It is accordingly suggested that the committee may wish to amend the bill by deleting the portion which makes reference to those requirements.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ALICE DUCKETT, BENEFICIARY OF H. R. 1005

Alice Duckett formerly Hutchinson, nee Hunt, was born at London, England, February 5, 1916. She was married to Ralph Alec Duckett, a legal resident alien, on July 10, 1953. She has no children. The beneficiary resides with her husband, mother, and a niece, all of whom are legal resident aliens.

The beneficiary entered the United States at New York, N. Y., on March 17, 1950, as a quota immigrant. On February 9, 1954, a warrant of arrest was served on the beneficiary charging her with being in violation of section 241 (a) (1) of the Immigration and Nationality Act in that she entered with a immigrant visa which was not valid because it was procured by fraud or misrepresentation. She was accorded a deportation hearing on March 23, 1954, and on April 15, 1954, this alien was ordered deported and a subsequent appeal to the Board of Immigration Appeals denied her the privilege of voluntary departure.

The beneficiary has lived as man and wife with her present husband, Ralph Alec Duckett, since November or December 1940. At the time they began to live together both the beneficiary and Mr. Duckett were legally married to other spouses. Mr. Duckett obtained a divorce in March 1953, and the beneficiary was divorced June 11, 1953; thereafter this couple was legally married on July 10, 1953. At the time this beneficiary made application for an immigrant visa at the American consul in London, England, she presented a British passport which was issued December 20, 1949, and which bore the identifying information of the legal wife of Mr. Duckett. The photograph, personal description, and fingerprints of this beneficiary were used in making the visa application but the passport and visa were issued under the name of Katherine Duckett.

This beneficiary has resided continuously at Grand Rapids, Mich., since her entry in this country and has been employed as a business-machine operator during all that time. Her husband is employed as an artistic engraver and their combined income is about $160 per week. The assets of this couple all of which are jointly owned consists of an equity in their home, household furnishings, and automobile, and a bank account, all of which amount to $10,950. An investigation conducted by this Service has established that the beneficiary bears the respect and admiration of her neighbors and that she has earned a good reputation at her place of employment in spite of her supervisors' knowledge of her past marital background

Congressman Gerald R. Ford, Jr., the author of the bill, submitted the following statement and letter in support of the bill:

RÉSUMÉ OF FACTS CONCERNING ALICE DUCKETT'S ENTRY INTO THE UNITED STATES FROM ENGLAND

Mrs. Alice Duckett was born Alice Maud Hunt, February 5, 1916, in London England; married William John Hutchinson in England March 1, 1936; separated from husband about 1939 and never lived with him again (divorced from Mr. Hutchinson by English decree entered April 29, 1953).

Met Ralph A. Duckett, an Englishman, in London, England, about 1940. He was separated from his wife and child and never lived with them again. Alice and Ralph became desperately in love, but neither could secure a divorce from their respective spouses due to restrictive grounds for divorce in England.

Mr. Duckett is an expert engraver and steel etcher. Mr. Lloyd E. Cook, of Rose Patch & Label Co., of Grand Rapids, being unable to find a skilled steel engraver in this country, contacted Mr. Duckett and arranged to employ him, offering to pay his and his wife's transportation to Grand Rapids. In order that they might make the trip on the same boat without expense, Mrs. Duckett applied for passport and visa under the name of Katherine Duckett and presented Mr. Duckett's former wife's birth certificate, instead of using her own. All other data, including her passport picture, were correct. There was no intent upon her part to gain illegal entry into this country by such method as she had a legal right to enter under her own name. Her use of the name Katherine Duckett was purely an innocent and ignorant mistake which both she and her husband now fully realize and deeply regret.

Mr. and Mrs. Duckett, upon clearing the port of entry at New York, went immediately to Grand Rapids, Mich., and have lived there ever since. Mr. Duckett has been steadily employed ever since arriving in Grand Rapids at the Rose Patch & Label Co., where he is an extremely valuable employee to that concern and the president, Mr. Lloyd E. Cook. Mrs. Duckett secured work promptly with the A. & P. food stores at 38 Front St. SW., Grand Rapids, Mich., and has been steadily employed there ever since April 3, 1950. She is an expert comptometer operator in the store auditing department, auditing the books and accounts of the divers A. & P. food stores in that district. During her years of employment there, she has received several pay raises by reason of her dependability and meritorious work and she is considered by her superior, Mr. H. B. Whyte, office manager of the Grand Rapids A. & P. food stores, as a key employee in her department. He contemplates her employment there will continue indefinitely.

In the early part of 1953, divorce proceedings were filed in behalf of Mr. Duckett against his actual wife, who is still residing in England, and on May 15, 1953, a divorce decree was entered in the Kent County Circuit Court, in chancery, at Grand Rapids, Mich., file No. 55719, granting Mr. Duckett a divorce from his wife in England. A property settlement was therein approved and support provision agreed upon between Mr. Duckett's counsel and his English wife's English counsel by correspondence. The decree became final immediately upon its entry May 15, 1953, and Mr. Duckett has religiously complied with the support provisions therein. Also, Mrs. Duckett's English husband, William J. Hutchinson, secured a divorce from her in the English court at London, England, on April 29, 1953, which became final June 11, 1953.

Shortly thereafter and on the 10th day of July 1953, Ralph Duckett and Alice Hutchinson (Duckett) were united in marriage at Angola, Ind., and have, therefore, been legally married to each other ever since that date. Both the Ducketts have entered into respectable civic affairs in the city of Grand Rapids and have conducted themselves as exemplary citizens. Their industry and intent to become solid citizens of this country are evidenced by their purchase of a home in Grand Rapids, costing $11,500, in which they have an equity of over $3,500, their purchase of furniture costing over $1,500, purchase of an automobile costing

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approximately $1,200 and of maintaining a joint bank account of approximately $500.

At the time she entered, there were no quota or other restrictions prohibiting Mrs. Duckett coming into the United States. If she had used her then married name of Alice Hutchinson and her own birth certificate, no question whatsoever could be raised as to the legality of her entry. Her unthinking, foolish act in using the name of Katherine Duckett (English wife of Mr. Ralph Duckett) in securing a passport was a useless thing to do. It is clear that Mrs. Duckett did not intentionally make a material misrepresentation in the procurement of her visa inasmuch as the use of the name and birth certificate of Katherine Duckett did not result in a fraudulent, illegal entry into the United States. The use of the name Katherine Butler Duckett was only a matter of innocent effort to avoid inconvenience and embarrassment in her travel to this country on the same boat with Mr. Duckett. She had no intent whatsoever of committing any crime or violating any law.

Alice Duckett has done no act to defraud the United States in her entry into this country. She desires to become an American citizen, as does her husband who has already filed application therefor. She is of good English stock, a most disirable addition to our citizenry, an industrious, conscientious, hard-working and competent person, who is contributing steadily to our production and economy. She is lawfully married to a fine, upright person, an expert, skilled worker, who is likewise contributing greatly to American production and economy. To deport Mrs. Duckett would either mean splitting a most loving couple from each other's companionship or resulting in this country losing both Mr. and Mrs. Duckett, as he undoubtedly would return to England with her if Mrs. Duckett is deported. To deport Mrs. Duckett would also undoubtedly subject her to prosecution by the English authorities for using another person's birth certificate to obtain a passport.

Both Mr. and Mrs. Duckett are most humble and remorseful for the slight error they have made, but to err is human; to forgive divine. The only possible "blame" that might be leveled at Mr. and Mrs. Duckett is that they loved each other too deeply.

The marital difficulties of both Mr. and Mrs. Duckett with their former, respective spouses, have long since been straightened out. They are now happy, loving man and wife, who desire to become American citizens and continue to contribute toward the future welfare of this country.

ROSE PATCH & LABEL CO.,
Grand Rapids 2, Mich., December 20, 1954.

Subject: Ralph A. Duckett, 3123 Waterford Avenue NE., Grand Rapids, Mich.

Hon. GERALD R. FORD, Jr.,
Grand Rapids, Mich.

DEAR JERRY: Ralph Duckett has informed us that you wrote to him on December 16 informing him that you had contacted several responsible people in the Immigration and Naturalization Service, also the Department of Justice, and have determined that it is advisable to introduce a private bill when the new Congress convenes rather than seek a review of the case by the Attorney General.

He also states that you are now preparing a private bill which you will introduce in the House of Representatives shortly after the new Congress convenes on January 5.

To say that we are grateful to you for your trouble is an understatement. As you may know, we brought this man and the woman who is now his wife to this country at our expense, because we were unable to locate a skilled engraver in this country. If we should lose his services at this time, our only recourse would be to go back to England and try to locate some other engraver, and, of course, take a chance on that person's ability.

Ralph has worked out wonderfully well with us, and we have been terribly depressed at the thought of losing his services. Now for the first time we have hopes, and it is certainly all due to your efforts.

Thank you again, and with best wishes for you and yours for the coming year, as well as a Happy Christmas, I am,

Cordially yours,

LLOYD E. COOK, *President.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1005), as amended, should be enacted.

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Calendar No. 1542

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1519

JOHN DANIEL POPA

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 930]

The Committee on the Judiciary, to which was referred the bill (H. R. 930) for the relief of John Daniel Popa, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to John Daniel Popa. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 59-year-old native of Rumania, now stateless, who last entered the United States on November 22, 1932, and was admitted as a United States citizen. He first entered the United States about November 1, 1913, under the name of his brother, and remained here until July 1920, when he returned to Rumania for a visit. He claims to have reentered about March or April 1922 under his correct name. He became a United States citizen through naturalization on January 25, 1929. He was thereafter absent from this country on two occasions. In 1933, the beneficiary was convicted of having falsely stated under oath on his petition for naturalization that he was unmarried, had no children, and that he had resided continuously in the United States since 1913, whereas he was then a married man, had one child, and had been absent from the United States from about July 1, 1920, to September 1, 1924. He was sentenced to 6

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months' imprisonment and his citizenship was canceled. The beneficiary is now divorced and his daughter resides in Rumania. He has been employed by the Eli Lilly Co. for 13 years, and now holds the position of senior cook, where officials speak very highly of him.

A letter, with attached memorandum, dated December 16, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 10277, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 16, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10277) for the relief of John Daniel Popa, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Cincinnati, Ohio, office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States notwithstanding the fact that he has been found subject to deportation under section 19 of the Immigration Act of February 5, 1917, as an alien who admits the commission of a crime involving moral turpitude prior to entry into the United States, to wit: Procuring naturalization fraudulently.

The alien is chargeable to the quota for Rumania.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOHN DANIEL POPA, BENEFICIARY OF H. R. 10277

The beneficiary, John Daniel Popa, is a divorced male, a native of Rumania (formerly Hungary), now stateless, who was born August 25, 1896.

Mr. Popa first entered the United States about November 1, 1913, under the name of his brother, Avisalom Popa, and remained here until July 1920, when he returned to Rumania for a visit. He claims to have reentered the United States about March or April 1922, under his correct name. However, this entry could not be verified from the official records of this Service. He became a United States citizen through naturalization in the United States District Court, Indianapolis, Ind., on January 25, 1929. Subsequent to his naturalization he was absent from the United States on two occasions, and last entered the United States on November 22, 1932, at which time he was traveling as a United States citizen. On October 28, 1933, he was convicted in the United States District Court at Indianapolis, Ind., on an indictment which charged that he falsely stated under oath on his petition for naturalization that he was unmarried, that he had no children, and that he had resided continuously in the United States since 1913, whereas he was then a married man, had one child, and had been absent from the United States from about July 1, 1920, to on or about September 1, 1924. As a result of such conviction, he was sentenced to 6 months imprisonment. The judgment further declared the order admitting him to citizenship in that court on January 25, 1929, to be null and void and ordered the certificate of citizenship issued to him canceled.

Mr. Popa was ordered deported from the United States March 26, 1934, on the ground that he was not in possession of a valid immigration visa at the time of his entry on November 22, 1932, and on the further ground that he admitted the commission of a crime involving moral turpitude prior to his last entry, to wit: Procuring naturalization fraudulently. His deportation could not be effected due to refusal of the Rumanian Government to issue a travel document for him. Mr. Popa's deportation proceedings have been under consideration at various times. He has been found to be ineligible for suspension of deportation because he is deportable on a criminal ground existing at the time of entry. Preexamination previously granted him was withdrawn August 4, 1954, because a quota

number was not available. There is outstanding in his case an order granting him voluntary departure in lieu of deportation.

Mr. Popa resides at 531 West Pearl Street, Indianapolis, Ind. He has been employed as a cook in the cafeteria of the Eli Lilly & Co. since May 20, 1942, and now earns $95 per week. He claims savings and assets of approximately $37,000. His daughter presently resides in Rumania, and his only relative in the United States is a cousin.

Congressman Charles B. Brownson, the author of the bill, submitted the following statement and letter in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 18, 1955.

Mr. Chairman and members of the Subcommittee on Immigration, may I express my thanks to the chairman and the members of the subcommittee for the opportunity to submit a statement for the record. I regret that a previously scheduled conference with the students of the Army Supply management course at Fort Lee, Va., prohibits my appearing in person.

H. R. 930 places before you this morning a case involving a man who made a mistake more than 26 years ago when he filed a petition for naturalization, has led an exemplary life ever since and yet is still paying for his error. I do not want to minimize his original mistake but I am convinced after carefully considering the circumstances of his case that he has paid in full for his felonious act, that he is truly repentant, and that he is deserving of clemency.

On October 17, 1928, Mr. John D. Popa stated under oath on a petition for naturalization in the United States District Court, Indianapolis, Ind., that he was not married, that he had no children, and that he had resided in the United States continuously since November 11, 1913. The facts were, he was married in Rumania in 1921, his wife had a child born after his marriage, and he visited Rumania from about June 1920, to about October 1924. Mr. Popa made these false statements on the advice of a friend, George Dan, since deceased, who suggested that he conceal his visit to Rumania in the early 1920's apparently to advance his naturalization. If he had admitted that he last entered the United States in October 1924, he would not have been eligible for naturalization until at least October 1929. Mr. Dan's unfortunate advice would seem to establish him as something of a "guardhouse lawyer."

John Popa entered this country in 1913 under his brother's name, Avisalem Popa. The use of his brother's name at that time did not make the entry illegal because there were no documentary or quota requirements then. Popa has lived in the United States continuously since November 11, 1913, except for: (1) The visit to Rumania from 1920 to 1924 as an alien; (2) a visit to Rumania from May 2, 1930, to about May 1931, as an American citizen; and (3) a visit to Rumania from August 1, 1932 to November 16, 1932.

In explanation of his denying his marriage and child, Mr. Popa made the following sworn statement before a senior naturalization examiner in Indianapolis, Ind., on April 21, 1933:

"I was married in January or February 1921, at Vista de Sus, Rumania, to Paraschiva Bansa in the Greek Orthodox Church in the same village. I was begged and urged to marry this woman by my brothers and sisters who thought that if they were able to have me married I would remain in Rumania and they wanted me to stay there because they knew that I had a little money which I had earned while in the United States and thought that if I remained there I would be willing to use this money to help them in business and in other ways. When I married, the woman told me that she would come back to the United States with me. She not only refused to come to the United States after she was married but I also learned that she was not a good woman. I lived with her about 6 months and then left her when I found that she was to have a child which I knew was not my child. This child whose name is Sylvia was born about August 1921, and lives with the mother now in Vista de Sus, Rumania. I told her before leaving that she was not my wife and that I would not acknowledge her as my wife or the child as my child * * *. When I went back in 1930 I told my wife that I would not live with her and did not recognize her as my wife because she was not a good woman and told her that I wanted to get a divorce, but she would not agree to this unless I would give her money * * *. On February 15, 1926, I took out my first paper in the circuit court of Marion County, Ind., at Indianapolis, and I stated at the time 'I am not married.' On October 17, 1928, I filed my petition for naturalization in the United States district court at Indianapolis, Ind., being petition No.

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1698, and stated therein, 'I am not married.' I also at the time of the filing of the petition omitted to state that I have any children or gave the name, place of birth, and place of residence of any child. I made these statements because I have not recognized my marriage. When I married this woman and left her in 6 months because she is about to have a child that is not my child, then I say I am not married. I tell everybody that I am not married now. I told her when I left her that when a woman does things like that I am not married to her * * *. I know that I made a mistake when I said in my petition for naturalization that 'I am not married' but because of the things my former wife had done I did not regard myself married."

Mr. Popa divorced his wife September 5, 1936, in Marion County, Ind., and has never remarried.

This man was naturalized a citizen of the United States on January 25, 1929. His citizenship was revoked on October 28, 1933, in the district court of the United States at Indianapolis, Ind., and on the same occasion he was convicted upon a plea of guilty for the crime of procuring of naturalization fraudulently. When confronted with the charge of fraud, Mr. Popa made no attempt to conceal his guilt. He was sentenced to imprisonment on October 28, 1933 for a period of 6 months. He has been the subject of deportation proceedings since 1934, having been found deportable by the Board of Immigration Review on June 7, 1934. Various orders have been entered in this proceeding. On October 10, 1935, deportation could not be effected because a passport was unobtainable; consequently, a bond conditioned for the alien's delivery to the deportation proceeding was canceled and the entire matter was permitted to rest until such time as deportation became practical.

The case was reopened and, as a result of a hearing before a special inquiry officer of the Immigration and Naturalization Service in Indianapolis, Ind., on July 7, 1953, the following decision was made:

"It is ordered that the alien be granted voluntary departure at his own expense in lieu of deportation within such period of time or authorized extensions thereof and under such conditions as the district director in charge having administrative jurisdiction of the office in which the case is pending shall direct. It is further ordered that preexamination be authorized upon a showing by the alien that an immigration visa will be promptly issued to him. It is further ordered that if the alien applies for admission to the United States within 60 days after his authorized departure he be admitted under the seventh proviso to section 3 of the Immigration Act of 1917 if otherwise admissible than as one who admits and has been convicted of a crime involving moral turpitude."

However, on August 4, 1954, the Board of Immigration Appeals canceled this privilege of preexamination because Mr. Popa could not comply with the orders entered in his case since the quota for Rumania is preempted and, therefore, an immigration visa would not be available to him within a reasonable time. At the time the order was withdrawn, the following statement was made by the Acting Chairman of the Board of Immigration Appeals:

"We are mindful that this respondent has been residing in the United States for a period of about 32 years. He is gainfully employed and has accumulated assets. He has a good personal record over a long period of years. Deportation would undoubtedly be a great hardship to him. However, under the facts and circumstances in the case and the applicable law, he is ineligible for suspension of deportation. Since he cannot avail himself of preexamination because of the status of the quota of Rumania, that privilege will be withdrawn. The motion to reconsider and the request for oral argument will be denied."

There is no doubt that Mr. Popa has exhausted every possible source of administrative relief and that this private legislation is his only hope. I believe that the proposed legislation merits your favorable consideration for the following reasons:

1. Mr. Popa's personal record in this country is excellent. A character investigation was ordered by the Immigration Service on April 24, 1951, and as far as I can determine, this investigation, which covered 7 years, was part of the basis for the favorable report of the special inquiry officer on November 23, 1953. I am also attaching a letter from Mr. Popa's present employer, Eli Lilly & Co., of Indianapolis, the pharmaceutical company, attesting to his reliability and record with them since 1942.

2. Mr. Popa has faithfully performed every service asked of him as a resident of the United States. In 1918, before he applied for citizenship, he registered under the selective-service law for military service. He registered as an alien under the Alien Registration Act of 1940 and has kept the Justice Department advised of his whereabouts constantly in accordance with the law.

3. Mr. Popa has paid physically for his crime through his sentence to confinement for 6 months and mentally through 22 years of insecurity and indecision, knowing that he was subject to deportation at any time.

4. Mr. Popa has never tried to deny his guilt in any way. Except for the sentence he received for obtaining his naturalization fraudulently, he has no conviction in the United States and has conducted himself as a law-abiding citizen.

5. Mr. Popa has worked diligently and has never become a public charge. In his present employment, he is under a retirement plan which makes it highly unlikely that he will ever become a ward of the State in any way. In July 1953, he signed a sworn statement that he had accumulated $15,000 cash, $15,000 bonds, and $2,500 in postal savings. At that time he was earning approximately $4,500 a year which certainly attests to his frugal living.

6. There is no indication in any of the many records I have examined which show or tend to show that Mr. Popa has ever belonged to any communistic organizations or has any communistic sympathies.

7. The decision of November 23, 1953, of the special inquiry officer, Immigration and Naturalization Service, to give Mr. Popa preexamination privileges and the reluctance of the Board of Immigration Appeals to cancel this order clearly indicate that the Immigration Service believes Mr. Popa eligible and deserving of all possible relief.

8. Mr. Popa concealed his absence from the United States primarily because of his zeal to become a citizen. However, he has stated that he could read English only a little and since he had but an eighth grade education, I believe it is reasonable to presume that some blame may be laid to his lack of comprehension as to the seriousness of what he was doing.

Mr. Popa has stated that he is afraid to return to Rumania, even if it were possible, for fear of political persecution. If he is forced to leave the United States, he has no place to go. This man is now about 58 years of age. He has lived in the United States for a period covering over 41 years and the threads of his life are completely entwined with the associations and customs of our country.

I earnestly and respectfully petition the subcommittee's approval of H. R. 930, for the relief of John D. Popa.

CHARLES B. BROWNSON,
Member of Congress, 11th District, Indiana.

ELI LILLY & CO.,
Indianapolis, July 15, 1955.

Hon. CHARLES B. BROWNSON,
House of Representatives Office Building,
Washington 25, D. C.

DEAR CONGRESSMAN BROWNSON: As a representative of Eli Lilly & Co., I am writing to you in behalf of John Danila Popa.

My interest and that of this company is that which we have for any of our employees. While Mr. Popa's job is not a critical one, he fills an important responsibility. He is the senior cook in 1 or our 2 main plants in Indianapolis. In this capacity, he has the responsibility of seeing that night employees in our plant, making antibiotics and other essential drugs, are fed two evening meals.

His attendance record with us has been very good. He has been employed for more than 13 years, and his responsibilities with the company have increased. Mr. H. G. Simon, manager of our various cafeterias, and Mr. Malcolm Kirtley, assistant manager who directly supervises Mr. Popa's work, both state that his performance on his job has been very good. During his 13-year association with our company, he has shown every indication of being of high character and having good morals.

Mr. Popa's earnings have increased steadily during his work here. At present they are in excess of $4,800. He gives every indication of being frugal, has had no financial problems appear in his employment records with us, and apparently is in a sound financial position. Mr. Popa is covered by company insurance and retirement provisions, and it seems that he is not likely to become a ward of the State.

Mr. Popa will be 59 years old next month. About 1 month ago, he became seriously ill and was forced to leave work. He entered St. Vincent's Hospital where he underwent major surgery. He is presently recuperating at home (538 West Maryland Street) following an operation in which two ribs and a lower section of his lung was removed. He is on sick leave from the company, and his

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period of absence is covered by company hospitalization insurance. He will return to an active employee status as soon as his physical condition permits it.

My impression of Mr. Popa, which I confirmed by talking with several of his associates in the cafeteria, is that he is a good man. His conduct on the job and, so far as we are able to determine, off the job has been above reproach during his entire association with this firm.

We are very grateful for your taking an interest in Mr. Popa's problem, and we will appreciate anything you can do for him.

THOMAS C. HASBROOK,
Communications Department.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 930) should be enacted.

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Calendar No. 1543

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1520

CHUNG FOOK YEE CHUNG

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1014]

The Committee on the Judiciary, to which was referred the bill (H. R. 1014) for the relief of Chung Fook Yee Chung, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Chung Fook Yee Chung. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 69-year-old native of China who last entered the United States in March 1949, at which time he was smuggled across the border. He first entered the United States about 1896 and resided here until December 2, 1945, when he returned to China. The beneficiary's wife whom he married in 1946, and their 7-year-old son, reside in Hong Kong. The beneficiary derives his income from the operation of a restaurant.

A letter, with attached memorandum, dated June 7, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 7, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1014) for the relief of Chung Fook Yee Chung, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Norfolk, Va., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for the Chinese.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING CHUNG FOOK YEE CHUNG, BENEFICIARY OF H. R. 1014

The beneficiary, Chung Fook Yee Chung, also known as Yee Chung and Yee Chung Fee, was born on June 5, 1886, in Canton, China. The beneficiary first entered the United States about 1896 and resided therein until December 2, 1945, when he returned to China. He last entered the United States in March 1949 at which time he was smuggled across the International Boundary near Malone, N. Y. Deportation proceedings were instituted against him and an order was entered granting him the privilege of voluntarily departing from the United States. He failed to depart and a warrant for his deportation was issued which warrant is now outstanding.

The beneficiary married Lee Lun on January 1, 1946, from which marriage a son, Yee Kou, was born at Canton, China, in December 1947. The wife and child now reside at 32 Fairy Street, Hong Kong, China. The beneficiary has no one dependent upon him for support other than his wife and child and he has no near relatives residing in the United States.

The beneficiary is a restaurateur and is presently operating the Ho Sai Gai Restaurant in Newport News, Va., from which he derives an annual income of approximately $1,000 per year. He resides at 2613 Washington Avenue, Newport News, Va.

Congressman Porter Hardy, Jr., the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, as follows:

Mr. Chairman, I think the committee has all of the information necessary on my bill, H. R. 1014, for the relief of Chung Fook Yee Chung. As many of you will remember, I introduced a bill in the 83d Congress, H. R. 5978, which was favorably reported by the Judiciary Committee and was passed on the floor of the House in the closing days of the 83d Congress. This bill was considered by the Senate subcommittee on August 3, and according to a letter addressed to Senator Byrd by Senator Kilgore, the bill was scheduled for approval by the full committee on August 16. However, due to the rush at the close of the session, the committee meeting was never held. I have submitted the letter from Senator Kilgore to this committee. In view of the action taken in the Senate committee last year, it seems a reasonable assumption that the bill will be favorably considered if it is again passed by the House.

It occurs to me that the real important reason for enacting this legislation is that this Chinese man was brought into the United States at the age of 10, in 1896, and resided in this country until 1946, at which time he returned to China because of the illness and death of his father and mother. This man lived in the United States from 1896 to 1946, a period of approximately 50 years. He lived in China for only the first 10 years of his life, and between the years of 1946 and 1949, at which time he reentered the United States.

If he had known at the time he departed from the United States in 1946 that he had to obtain a reentry permit, he would have been eligible for it, since he had been in the United States prior to 1906.

I do not want to burden this subcommittee with additional information, but if it is desired, I shall be glad to answer questions at this time. I do hope that the committee will favorably report this bill and that it may be reached on the floor of the House for consideration at this session of the Congress in order that it may be acted upon in the Senate promptly.

The letter referred to in Congressman Hardy's testimony reads as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
July 1, 1955.

Hon. HARRY FLOOD BYRD,
United States Senate, Washington, D. C.

MY DEAR SENATOR BYRD: Reference is made to your recent inquiry concerning the bill, H. R. 5978, for the relief of Chung Fook Yee Chung which passed the House of Representatives in the 83d Congress on August 4, 1954.

A check of our files discloses that this bill was ordered postponed indefinitely by the full Judiciary Committee on August 9, 1954. However, on August 13, 1954, the bill was reconsidered by the subcommittee and recommended for approval. The bill could not be reported favorably out of the full Judiciary Committee because no further meeting of the committee was held between August 13 and the adjournment date of August 20, 1954.

This is to confirm, therefore, that this bill was scheduled for favorable action prior to the adjournment of the Congress.

With kindest regards, I am,

Most sincerely yours,

H. M. KILGORE, *Chairman.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1014) should be enacted.

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Calendar No. 1544

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1521

MRS. ESTHER CHAN LEE (ETA LEE)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1074]

The Committee on the Judiciary, to which was referred the bill (H. R. 1074) for the relief of Mrs. Esther Chan Lee (Eta Lee), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mrs. Esther Chan Lee (Eta Lee). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 37-year-old native and citizen of China, who last entered the United States on October 26, 1952, as a visitor. Since her entry, the beneficiary has lectured before women's groups and civic organizations, and it is stated that she has done an excellent job in promoting the American way of life as opposed to the communistic form of government. The beneficiary is divorced, and she has one son who attends a Catholic school in Australia on a scholarship, and a daughter who will be able to qualify for a visa to enter the United States under the Refugee Relief Act, if her mother is permitted to remain in this country.

A letter, with attached memorandum, dated July 8, 1955, to the chairman of the Committee on the Judiciary of the House of Repre-

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sentatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 8, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1074) for the relief of Mrs. Esther Chan Lee (Eta Lee), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota for Chinese persons.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MRS. ESTHER CHAN LEE (ETA LEE), BENEFICIARY OF H. R. 1074

Mrs. Esther Chan Lee, also known as Eta Lee, Mrs. Tsufa Lee and Mrs. Rodney Hsia, was born on November 17, 1918, and is a native and citizen of China. She is married to Tsufa F. Lee, a native and citizen of China, who resides in Hong Kong where he is an insurance company employee. They have no children. Both were previously married, such marriages being terminated by divorce. Mrs. Lee has two children by her previous marriage, both natives and citizens of China and both now residing in Hong Kong with Mr. Lee. She also has a stepson, Ming-Cho Lee, who entered the United States temporarily as a student and who is presently living in Los Angeles, Calif.

Mrs. Lee resides at 11715 Bellagio Road in Los Angeles. She has no dependents, and is supported by funds received from her husband. She has made several paid television appearances in Los Angeles, and has lectured before various women's clubs in the southern California area. Her only other employment was as an interpreter by the British consulate in Chungking, China, for several months during 1938. Her schooling consisted of 10 years of private tutoring in China. She has no relatives in the United States other than her stepson and has two sisters residing in China.

She last entered the United States at San Pedro, Calif., on October 26, 1952, and was admitted as a temporary visitor until April 28, 1953. She received several extensions of her temporary stay, the last of which expired on January 5, 1955. Her application for a change of status to that of a temporary worker was denied on the grounds that she was not a bona fide nonimmigrant, and her appeal from this decision was dismissed on October 21, 1954. Deportation proceedings were instituted against her on February 4, 1955, and, after a hearing, she was granted the privilege of departing from the United States voluntarily in lieu of being deported.

Mrs. Lee is the beneficiary of bills S. 461 and S. 833, 84th Congress, and was the beneficiary of bill S. 3106, 83d Congress.

Congressman Donald L. Jackson, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives, the following letters in support of the bill:

DEPARTMENT OF NORTH DAKOTA,
AMERICAN LEGION,
Fargo, N. Dak., November 5, 1954.

Mr. SHERMAN ADAMS,
The White House, Washington, D. C.

DEAR MR. ADAMS: On March 10 Senator Langer of North Dakota introduced S. 3106, a bill for the relief of Mrs. Esther Chan Lee (Eta Lee). As I understand, no action was taken on this bill, and it is still before the Judiciary Committee of the Senate.

Mrs. Lee advised me in a long-distance telephone call yesterday that she has been notified by the Department of Justice, Immigration and Naturalization Service, 458 South Spring Street, Los Angeles 13, Calif., that she must leave this country by December 5, 1954.

My interest in Mrs. Lee remaining in this country is based upon two things. First, she is a personal friend of Mr. William Stern, past Republican committeeman from North Dakota and at present a member of your national finance committee, and second, I have had several personal contacts with Mrs. Lee and, in my opinion, she has been doing an excellent job in selling the American form of government as opposed to the Communist propaganda operating in China to women's clubs throughout the country. It is hard to understand the action of the immigration department in insisting upon the return of Mrs. Lee to China when we have so many phonies and commie sympathizers running around the country selling anti-American propaganda and they are allowed to stay because of the influence exerted by the powerful lobbies that they have representing them.

What I want done is to have the order ordering Mrs. Lee to leave this country on December 5 canceled and an extension granted until proper legislative action can be taken to secure her permanent residence in this country.

With kindest personal regards, I am

Sincerely yours,

JACK WILLIAMS, *Department Adjutant.*

CHINA INSTITUTE IN AMERICA,
San Francisco, Calif., November 23, 1953.

Mrs. ETA TSUFA LEE,
Los Angeles 24, Calif.

DEAR MRS. LEE: I have heard with great pride the excellent response to your speech before the Century Club of San Francisco last week.

As you know the main purpose of China Institute is to promote better understanding between Chinese and American peoples through cultural exchanges. In helping the Americans to better appreciate the continuing values of life and culture of China in this difficult period through your talks before various groups and organizations, you are also carrying out an important phase of our program.

May I extend to you our best wishes for your continued success.

Yours sincerely,

K. S. WANG, *Regional Director.*

CALIFORNIA FEDERATION OF WOMEN'S CLUBS,
Los Angeles 17, Calif., November 2, 1953.

Mr. H. R. LANDON,
Immigration and Naturalization Service,
Los Angeles, Calif.

DEAR MR. LANDON: Having held several conferences with Mrs. Eta Lee and learning of her splendid background and her endeavor to reach the women of the United States through her talks before women's groups, we are happy to recommend her as a speaker and approve heartily her earnest desire to bring her message to the women of this country.

We hope the opportunity will be extended to her to appear before the clubs of the California Federation of Women's Clubs and assure you this would be done with the full approval of our organization.

Sincerely yours,

HELEN W. WENGER
Mrs. Joseph C. Wenger,
President.

LOS ANGELES DISTRICT,
CALIFORNIA FEDERATION OF WOMEN'S CLUBS,
Los Angeles 18, October 9, 1953.

Mr. H. R. LANDON,
Immigration and Naturalization Service,
Los Angeles, Calif.

DEAR SIR: After becoming acquainted with Mrs. Eta Lee through her sincere and spirited talks about the educational and philosophical hazard of indoctrination under which her children live in Communist-infiltrated China, we, the Los Angeles

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district board of the California Federation of Women's Clubs, would like to express our hope that you will do all in your power to arrange a more permanent status for her in this country in order that she may have more time to work out details of having her children join her here; and in order that she may bring her message and information on the Battle for Truth to the American people.

Mrs. Lee is an outstanding person in character and purpose and would be, we feel, a creditable American citizen.

Sincerely yours,

MARY R. CORNELIUS
Mrs. George W. Cornelius,
President.

TRANSAMERICA CORP.,
November 20, 1953.

Mr. H. R. LANDON,
Immigration and Naturalization Service,
Los Angeles, Calif.

DEAR MR. LANDON: I should like to take the liberty of informing you that it has been my pleasure to have known Mrs. Eta Lee since 1945 when I was in Shanghai, China, on a governmental mission, then acting as financial adviser to the United States High Commissioner in the Philippines.

Her husband, Mr. Tsufa Lee, has represented the Occidental Life Insurance Company of California in China for a great many years and, as you undoubtedly know, this company is a 100-percent-owned Transamerica institution. I know both Mr. and Mrs. Lee to be persons of the highest integrity and from my personal experience know that they can be counted as friends of the people and the Government of the United States.

It is my understanding that she is endeavoring to make arrangements to obtain permits for her remaining children who are in Hong Kong to come to America and it is my hope that our laws and regulations will permit their entrance.

Cordially yours,

F. N. BELGRANO, Jr., *President.*

PAWTUCKET, R. I., *November 19, 1953.*

Mr. H. R. LANDON,
District Director, Immigration and Naturalization Service,
Los Angeles, Calif.

DEAR MR. LANDON: Mrs. Tsufa Lee (Eta Lee) has asked me to write you a few lines about her.

I have known Mrs. Lee and her husband for more than 10 years. I know their children, too; and we have often been in each other's home.

Mrs. Lee is a woman of sterling character and superior attainments, an example of the very finest type of modern Chinese lady in every sense of that word.

Mrs. Lee tells me that she is applying for "semipermanent" status in the United States, and I sincerely hope that her request will be granted.

Yours sincerely,

L. K. LITTLE,
Inspector General of Customs, China (Retired).

THE EXCHANGE CLUB OF HOLLYWOOD,
April 3, 1953.

Mrs. ETA LEE,
Bel Aire, Calif.

MY DEAR MRS. LEE: Since your appearance before our club, I have been trying to put the words together which would properly express our feelings and our deep appreciation. Never have we had anyone with such charm and a message that all mothers should hear.

Those of us who have a deep and abiding faith in and love for the land under whose protection we live and prosper can sometimes become too complacent about conditions about us. People like yourself, who can provoke thought among peoples, have a very important mission in the world of today and the world of tomorrow, which our children will inherit.

As one small group, we hope that those of our leaders who have jurisdiction over such matters, allow you and the ones you are fighting for (your children) to remain among our people for a long time. We also hope that our country will make it possible for you someday to return to your own native land where your children can live without fear.

Yours may be only one voice, Mrs. Lee, but it is not a small voice. It is the voice of first of all a mother whose first instinct is one of concern about her children. Should all peoples govern their actions by the impact those actions might have on future generations this might be an entirely different world.

On behalf of all our Exchange Club members and their wives, let me say thanks for a wonderful meeting. Should any of us be able to be of service to you during your stay in our city, please let us know.

Sincerely,

EMMET E. MOODY, *Program Chairman.*

STATE OF WASHINGTON,
DEPARTMENT OF CIVIL DEFENSE,
Olympia, November 16, 1953.

To Whom It May Concern:

This letter is about Mrs. Eta Lee, a Chinese citizen, whom I have known for some years.

Mrs. Lee is now in California, and her husband and children are in Hong Kong. She is trying to assemble her family in the United States.

I met Mrs. Lee and her family when I was in China in the fall of 1945. At that time I was in command of our fleet in Chinese waters and became well acquainted with the Lee family and have kept in touch with them since that time. They were known as one of the outstanding families of Shanghai, highly regarded in both the Chinese community and the European community. They are the finest type of Chinese.

I cannot too strongly commend to the sympathetic consideration of the necessary authorities that sanctuary should be given to Mrs. Lee and her family in the United States.

D. E. DARBEY,
Vice Admiral, United States Navy (Retired),
Director.

In addition, Congressman Jackson addressed the following letter to the chairman of the Senate Committee on the Judiciary concerning the case:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 25, 1956.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: Pursuant to your suggestion that I contact Mr. Fred Mesmer relative to the progress on the Senate side of bill H. R. 1074, a private bill granting permanent residence in this country to Mrs. Esther Chan Lee, I met with Mr. Mesmer in the office today. We discussed the matter in some detail and inasmuch as there have been several new developments with respect to the status of Mrs. Lee and her two children since the introduction of the Senate companion bills by Senators Langer and Magnuson, it was suggested by Mr. Mesmer that I communicate certain facts which should be in the possession of the committee for consideration in connection with action on the House bill, if that is the course decided upon by you and the other members of your committee.

The record should disclose that Mrs. Lee is divorced from her husband, Tsufa Lee, a Chinese national and presently domiciled in Hong Kong. One of Mrs. Lee's two children, a boy 19 years old, is presently attending a Catholic school in Australia under the provisions of a scholarship. Application has been made in Hong Kong for a visa under the provisions of the Refugee Relief Act of 1953, for the other child, Sylvia, 16 years of age. In contemplation of favorable action by the Senate on H. R. 1074, or one of the companion bills, the consul general in Hong Kong is proceeding with the preprocessing of the application for the daughter's visa and the required sponsorship forms, which have been executed by Mr. Horace W. Brower, president of the Occidental Life Insurance Company of California.

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When I was in Hong Kong in November I was told that the daughter would be issued a visa which would permit her to be reunited with her mother upon passage of H. R. 1074, or a companion measure, in the Senate.

Those who are interested in the passage of legislation granting to Mrs. Lee the privilege of permanent residence in the United States, are all unanimous in the opinion that she is a woman of exceptional merit. It is sincerely hoped by all, including the undersigned, that expeditious action can be taken on either H. R. 1074 or one of the bills introduced in the Senate.

I very much appreciate your kindness in permitting me to discuss this matter with you at lunch, and if any further information is desired I shall be very happy to see that it is furnished.

Sincerely yours,

DONALD L. JACKSON,
Member of Congress.

Senator Warren G. Magnuson has introduced S. 461, and Senator William Langer has introduced S. 833 for the relief of the same beneficiary. Inasmuch as the instant bill is being reported favorably, the bills, S. 461 and S. 833 will be indefinitely postponed.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1074) should be enacted.

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Calendar No. 1545

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1522

JOHN MEREDITH McFARLANE

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1097]

The Committee on the Judiciary, to which was referred the bill (H. R. 1097) for the relief of John Meredith McFarlane, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to cancel the deportation proceedings outstanding in the case of John Meredith McFarlane and to provide that he shall not again be subject to deportation by reason of the same facts.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native and citizen of Canada, who last entered the United States on September 15, 1952, as a returning resident, having previously been admitted for permanent residence on August 9, 1931. The beneficiary was convicted of grand larceny on January 15, 1953, and sentenced to an indefinite term of imprisonment in a reformatory, from which he has since been released. The beneficiary was also convicted on October 22, 1950, on a charge of leaving the scene of an automobile accident for which he received a suspended sentence. The beneficiary is employed as a welder and resides with his parents, both of whom are citizens of the United States. He served in the United States Air Force from April 30, 1951, to February 20, 1953, at which time he was discharged because of his conviction by the civil authorities.

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A letter, with attached memorandum, dated December 21, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9974, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 21, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9974) for the relief of John Meredith McFarlane, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

As a native of Canada, the alien is eligible for a nonquota status in the issuance of a visa.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOHN MEREDITH McFARLANE, BENEFICIARY OF H. R. 9974

The beneficiary, who is unmarried, was born on June 27, 1931, in Whitby, Ontario, Canada. He is a citizen of Canada and last entered the United States on September 15, 1932, as a returning resident. He was lawfully admitted to the United States for permanent residence on August 9, 1931.

On January 15, 1953, he was convicted on his plea of guilty in the Monroe County Court, Rochester, N. Y., of grand larceny, first degree, and was sentenced to an indefinite term of imprisonment in the New York State Reformatory, Elmira, N. Y. He and his 2 younger brothers committed some 14 burglaries in the Rochester area during the summer of 1952 He has since been released from the reformatory on parole.

On November 6, 1953, he was ordered deported from the United States by reason of his conviction and sentence for a crime involving moral turpitude committed within 5 years after his last entry. His appeal to the Board of Immigration Appeals was dismissed on March 26, 1954. His application for a pardon has been pending before the Governor of the State of New York since April 1954.

He was also convicted on October 22, 1950, in Rochester, N. Y. on a charge of leaving the scene of an automobile accident for which he received a suspended sentence. He was driving an automobile which struck and killed a pedestrian.

Mr. McFarlane resides with his parents, both citizens of the United States, on Wisner Road, Rochester, N. Y. He is employed as a welder by the Eastman Kodak Co., Rochester, N. Y. He served in the United States Air Force from April 30, 1951, to February 20, 1953, at which time he was discharged because of his conviction by the civil authorities. There is no one in the United States dependent upon him for support.

Congressman Kenneth B. Keating, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified as follows:

John Meredith McFarlane was born in Whitby, Ontario, Canada, on June 27, 1931, the son of Mr. and Mrs. John W. McFarlane, who were Canadian citizens residing permanently in Rochester, N. Y., at the time of his birth. He spent the first few months of his life in Canada with his mother and grantparents, and has lived the remainder of his 24 years (with the exception of time spent in the Air Force) with his parents and younger brothers and sister in Rochester. He was admitted to the United States for permanent residence on August 9, 1931, and,

according to his father, the fact that he did not take out his first papers until his enlistment in the United States Air Force in 1951 was due entirely to neglect on the part of the parents. The parents are now American citizens and the younger brothers and sister of the beneficiary are American citizens.

The committee is familiar with this young man's conviction and sentence in 1953 which led to the issuance of an order for his deportation from the United States. As a result of this conviction by civil authorities, he was also discharged from the Air Force, but his service record prior to conviction was good and his colonel saw fit to write a letter (which is now in the files of the Immigration and Naturalization Service) stating that McFarlane's character had been excellent and his work performance good.

John McFarlane possesses a number of skills and talents and has taken part in a number of community activities such as the Boy Scouts, assisting his father in his duties as post air raid warden and taking an active part in the young people's group of his church. His good behavior at Elmira Reformatory resulted in early release from that institution.

It is difficult to understand why this young man committed the act of which he was convicted. He has had excellent home environment and he obviously did not need money. Perhaps adventure was the motive since those who have worked with him closely do not feel he is a criminal type. I would like to point out that both he and his father are impressed with the seriousness of the crime. The father has made full financial restitution and the beneficiary of this bill is repaying the amount.

It is significant to note that the district attorney of Monroe County, N. Y., and also the presiding judge in the Monroe County Court where McFarlane was arraigned wrote letters to the Governor of the State of New York requesting a pardon and stating that this young man should become a worthy citizen if allowed to return to his home and family. They pointed out that the prospects for rehabilitation would be far better in this event than if he were "turned loose on his own in an unfamiliar country."

I would like to turn over to the committee copies of the two letters mentioned above, together with a statement sworn to by McFarlane's father and a letter from an official of the Eastman Kodak Co., Rochester, N. Y., where McFarlane is presently employed as a welder.

The letters referred to in Congressman Keating's testimony, read as follows:

EASTMAN KODAK CO.,
Rochester, N. Y., July 8, 1955.

Mr. JOHN M. McFARLANE,
Rochester, N. Y.

DEAR MR. McFARLANE: You have asked us for a letter regarding your conduct and performance while in the employ of the Eastman Kodak Co. since you started here April 26, 1954. We are happy to comply with your request. We understand that you wish to use our statements to bolster your petition for citizenship, which matter will be handled through Congressman Keating at hearings in Washington.

When you hired out you requested work as a welder. We told you that you would first have to start as a helper, skilled trades, and make good at this for a period of at least 6 months. You performed well as a helper, skilled trades, even though you were not too happy in the work you were doing, and accordingly, we were glad to reclassify you to a welder status November 22, 1954. This work requires strict adherence to our safety regulations. In one area where you have worked they have complimented you highly on your observations of these safety regulations. In another area they have stated that you have had to be reminded several times more than necessary about certain rules. This, however, is the only blemish and indeed a slight one on your record. Your attendance has been satisfactory, the quality of your welding has been good in consideration of your relatively short experience at the trade, your cooperation with your mechanics and with supervision has been satisfactory, and you appear to be interested in progressing as a welder.

We are, accordingly, very happy to recommend you for consideration as a citizen on the above information.

Very truly yours,

J. E. GRAMLICH,
Superintendent, Field Departments.

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AFFIDAVIT

UNITED STATES OF AMERICA,
State of New York, County of Monroe, ss:

John W. McFarlane, being duly sworn, deposes and says:

I reside on Wisner Road, Huntington Hills, in the town of Irondequoit, county of Monroe, N. Y. My family consists of my wife, three sons, John M., Arthur G., and D. Patrick, and daughter, Ellen M., all of whom reside with my wife and me.

My son, John M. McFarlane, who is now 23 years of age, was indicted by the Monroe County grand jury for the crimes of burglary, third degree and grand larceny, first degree, in connection with breaking into a local sporting-goods store and stealing therefrom a quantity of guns and ammunition. He pleaded guilty to the larceny count, and on January 16, 1953, was sentenced to an indefinite term in the reformatory by the Monroe County court.

At the time of his arrest and conviction the boy was a Canadian citizen by virtue of the fact that Mrs. McFarlane and I were Canadian citizens at the time of his birth and he was born in Canada. Incidentally, we are now both American citizens. His last entry into this country was on an occasion when he visited his maternal grandmother in Canada in the fall of 1952 and reentered the United States at Lewiston, N. Y., on September 15, 1952. He has lived in the United States of America virtually all of his life. We brought him here when he was a few months old. Because of his conviction and his entry into the country within 5 years, he is, according to the deportation law, subject to deportation. During his confinement at Elmira he was served with a warrant for deportation. A hearing was held before the United States Department of Justice, Immigration and Naturalization Service. As a result of it the deportation was ordered. An appeal from this order was taken to the Board of Immigration Appeals and their decision, which was given with reluctance, dismissed the appeal and was received March 31, 1954.

The original tentative parole date for John was July 1954. Because of his good conduct, attitude, study, and work, he was released early, namely, on April 19, 1954.

He immediately obtained a job with the Eastman Kodak Co. with whom he had a previous good record. He is working for the engineering and maintenance department on pipe fitting. He hopes to obtain a welder's job on which he took a course at Elmira.

He has lived at home with us since his release from Elmira. We are well satisfied, and so is the local parole board, by the progress of his rehabilitation and by his attitude in general. We are sure that he will be a valuable member of the community from now on. We are sure that his complete rehabilitation can be effective best at home rather than by deporting him to Canada where he has no immediate family other than two aged grandmothers.

Both the county judge who presided at his trial and sentenced him, and the district attorney who prosecuted the case, have written letters, copies of which are attached, and in which they both state that they believe the best prospects for rehabilitation are far better if he is returned to home rather than being deported. Judge O'Connor, as will be noted, has even gone so far as to state that had he been aware at the time of passing sentence that a recommendation, if made within 30 days of sentence, on the court's part recommending that the defendant be not deported would have had the effect of staying deportation, he would definitely have made such a recommendation.

A number of things will serve to show the boy's background and what future performance can be expected of him.

I. THE BOY'S VALUE TO THE COMMUNITY

There are a large number of factors which, deponent believes, indicate his past and future value to the community and to the country.

1. He enlisted in the armed services. He rated very high on the aptitude test given at the time of enlistment and as a result, the recruiting officer recommended that he join the Air Force, which he did. After basic training at Sampson Air Force Base the counseling officer learned that he had considerable experience in working with plastics. At that time a plastics workshop was being set up at camp for the making of training aids. He was therefore given the post of plastics craftsman. According to a letter dated September 17, 1953, from Col. Clair L. Wood (which is in the files of the Immigration and Naturalization Service) his character is excellent and his work performance was good. His discharge from the Air Force was a result of conviction by civil authorities and was not the result of any dereliction at camp.

2. As pointed out before, the boy has a record of satisfactory work and is currently employed as a skilled worker.

3. John is an accomplished musician, particularly on the baritone horn. He learned to play and joined the band of Durant Eastman Grade School. On graduating to Benjamin Franklin High School he also joined the band there and was shortly selected to play in the interhigh band which is composed of the best high-school musicians of the city of Rochester, N. Y. He attended Tally-Ho Music Camp for one season. He played in the Elmira Reformatory Band. He plans to continue his music.

4. His experience in playing horn showed him the need for a precisely made plastic mouthpiece which was not available. He worked out methods of making such mouthpieces of lucite. These were used with great satisfaction by some of the students and staff of the Eastman School of Music. This development was entirely his own project. He plans to resume the after-hours production of these mouthpieces in our home workshop, if deportation is not ordered.

5. He is quite an able mechanic. He assisted me in 1946–47 in the production of a book on repairing bicycles. He later developed skill as a car mechanic and has done such operations as major engine overhauls, changing engines, and other operations calling for considerable skill.

6. He is quite skillful at welding. Since he has come home we have acquired a small welding outfit with which he has done considerable skilled work. He is building himself a motor-driven electric welding outfit.

7. He is skilled at a number of types of crafts, such as the making of arrows, leather work, making and finishing wooden articles, and many plastic operations.

8. He is an able athlete. He is a good swimmer, a skillful skier and skater, he has played high-school football.

9. He has taken part in a number of community projects. He went through Cub Scouts and Boy Scouts where he assisted the Scoutmaster. He also served as my messenger in my duties as post air raid warden, a position which I still hold. No doubt he will assist me again if he is free to do so. He was an active member of the Young People's Fellowship at Irondequoit Presbyterian Church and held a responsible office in that group.

10. His character by and large is good. He is not an habitual criminal. He is gentle by nature, has no vicious habits, and does not drink. His good behavior at Elmira resulted in his early release.

II. LEGALITY OF HIS PRESENCE IN THE UNITED STATES

As shown on the record, he entered the country legally and was not smuggled in. He has observed all the regulations including alien registration. He has held a border-crossing card since it was first required. He had this border-crossing card on the date of entry cited. There has been no attempt whatever to reside in the United States illegally.

Possibly no better proof of his devotion to the welfare of this country and his intention to serve its welfare, could be cited than his voluntary enlistment in the armed services.

III. NONCITIZENSHIP

He was born in Canada merely because his mother preferred confinement at her mother's home. We had already established residence in the United States at the time. He has lived all his life, 22 years, in the United States, practically all of this time at our home. The rest was spent at Sampson Air Force Base and at the University of Rochester. He took out his first papers when he enlisted in the Armed Forces. The fact that he was not a citizen is more our fault than his, as we should have taken out papers many years ago.

IV. THE OFFENSE

The motivation is very difficult to understand and the boy himself does not appear fully to understand why he committed the act of which he was convicted. Deponent is not a psychologist or a psychiatrist; I can only speculate that possibly adventure was the attraction. He apparently rationalized the theft by feeling that insurance would take care of the loss. I do not desire to minimize the moral and legal wrongness of his act. He was not armed, nor did he assault anyone. I have made restitution in full and John has repaid me as far as he has been able and is now continuing to do so.

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V. DEPONENT'S FAMILY AND CIRCUMSTANCES

My wife and I reside with our three boys and daughter in a home which we own in a good residential section of the environs of Rochester, N. Y. We are both college graduates. I have worked for 25 years with Eastman Kodak Co. and my present position is supervisor of publications. I sincerely believe that we are respected members of the community in which we live and that we are able to offer to our son, John, if he is permitted to remain with us, a good home and good parental influence. All of this, in your deponent's opinion, is much more likely to develop John into a good and useful citizen than deporting him to a country where he has no near relatives except two aged grandmothers who would be totally unable to give him the home environment and parental care, discipline, and advice which is so important to a young man of his age.

Wherefore, your deponent prays that legislation may be enacted by the Congress of the United States permanently staying deportation of deponent's son, John M. McFarlane, and permitting him to remain in his home with his parents, and if possible, to reapply for citizenship in this country.

JOHN W. McFARLANE.

Sworn to before me this 18th day of August 1954.

[SEAL] HARRY S. IRWIN,
Notary Public, State of New York, County of Monroe.

My commission expires March 30, 1956.

OFFICE OF THE DISTRICT ATTORNEY OF MONROE COUNTY,
Rochester, N. Y., December 30, 1953.

Re John Meredith McFarlane

Hon. THOMAS E. DEWEY,
Governor, State of New York,
Executive Chambers, Albany, N. Y.

DEAR GOVERNOR DEWEY: Mr. John McFarlane, father of the above-named prisoner of Elmira Reformatory, has informed me that an immigration hearing has been scheduled requiring the prisoner to show cause as to why he should not be deported to Canada, pursuant to the provisions of section 21 (a) (4) of the Immigration and Naturalization Act.

The prisoner, who is now only 22 years of age, was indicted by the Monroe County grand jury for the crimes of burglary, third degree, and grand larceny, first degree, in connection with breaking into a local sporting goods store and stealing therefrom a quantity of guns and ammunition. He pleaded guilty to the larceny count, and on January 16, 1953, was sentenced to an indefinite term in the reformatory by the Monroe County court.

The prisoner's father has a responsible position with the Eastman Kodak Co., in this city, and has a fine home in one of the better residential sections adjacent to the city. I am convinced that he is thoroughly impressed with the seriousness of his son's offenses, and can, and will, be successful in determining that there will be no repetition.

The prisoner has spent all but a few months of his 22 years in the United States, and, in view of the good family background, the splendid home picture, and the restrictions of parole, it would seem that the prospects for rehabilitation are far better if he is allowed to return home than if he is turned loose on his own in an unfamiliar country.

I send you these comments in the hope that they may be helpful to you in your decision upon an application for clemency which I am advised is being made to you.

Respectfully yours,

CLARENCE J. HENRY,
District Attorney.

COUNTY COURT CHAMBER,
Rochester, N. Y., December 28, 1953.

Hon. THOMAS E. DEWEY,
Governor of the State of New York,
Governor's Mansion, Albany, N. Y.

YOUR EXCELLENCY: I was the presiding judge in the Monroe County Court at the time one, John Meredith McFarlane, was arrainged on an indictment charging him with the crime of burglary in the third degree and grand larcency

in the first degree in connection with the breaking and entering of a sporting goods store and the theft of a quantity of merchandise. The defendant entered a plea of guilty to the larceny count and on the 16th day of January 1953 was sentenced by the court to an indefinite term in the New York State Reformatory at Elmira, N. Y.

The defendant's father has been a long resident of this community as well as the defendant himself, who has been a resident during his lifetime with the exception of the time of his birth and periodical visits to his grandmother's home at Whitdy, Ontario, Canada. I am informed by John McFarlane, the father, that his son John Meredith was born in Whitby, Ontario by reason of the fact that his wife preferred to have her confinement in the home of her mother, which accounts for the defendant's birth in Canada.

Mr. McFarlane, senior, is a respected employee of the Eastman Kodak Co. in this city and is supervisor of all publications of the Eastman Kodak Co. and is a highly respected resident of this community, and is now in the process of becoming a citizen.

At the time of passing sentence on the defendant, the court was not aware of the fact that the defendant was an alien, nor was the court cognizant of the provision of the Deportation Act that he would be subject to deportation, nor was the court cognizant of the provision requiring that the court make a recommendation to the Secretary of Labor recommending the defendant not to be deported. Had the court known that this young man would be subject to deportation, the court would have definitely made such recommendation within the prescribed time provided in the Deportation Act. By strictly enforcing this provision, it would seem that it gives rise in many instances to unjust deportations, in view of the fact that the sentencing court is seldomly advised of the fact of noncitizenship of the defendant, and in the absence of this information, would not be able to make the recommendation as provided in the section.

I have written to the Secretary of Labor, the White House office, 1600 Pennsylvania Avenue NW., Washington, D. C., a letter containing all the facts stated above, and in view of these facts, I would wholeheartedly recommend that the defendant, John Meredith McFarlane, be permitted to remain in the United States and be permitted to rehabilitate himself under the guidance of his parents and other agencies rather than turn him over to another country to shift for himself without proper influence of a home with his own parents.

In answer to my letter to the Secretary of Labor, I was informed that in view of the fact that my recommendation was not forwarded to their office as prescribed by the section, the deportation order would have to take its course.

I am informed that the young man will be eligible to parole sometime this coming April, at which time the Secretary of Labor would proceed with the deportation. I, as the court, cannot but feel that my ignorance of the provision of the Deportation Act has resulted in a great injustice to this young man, for were I aware of the possibility of deportation, and also aware of the provisions of the act fixing a limited time for my recommendation, I certainly would have complied with the provisions of the act and saved this boy from deportation. However, as I am now informed, I am powerless to do much in his behalf. I am informed that the only way young McFarlane could be saved from deportation would be by a pardon at your hands when he is released from the institution.

I am fully cognizant of the fact that I am asking a major request at your hands, but I am moved by feeling my own ignorance at the time of passing sentence.

The boy was sentenced as a first offender and under the wing of his parents in his own home, should develop into a worthy citizen.

I humbly place these facts before Your Excellency with the sincere hope that a way may be found to spare this boy from deportation.

Most sincerely yours,

JAMES P. O'CONNOR, *County Judge.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1097) should be enacted.

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Calendar No. 1546

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1523

GUENTHER KASCHNER

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1104]

The Committee on the Judiciary, to which was referred the bill (H. R. 1104) for the relief of Guenther Kaschner, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of crimes involving moral turpitude in behalf of the nephew of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 26-year-old native and citizen of Germany who presently resides in that country. The beneficiary has been denied a visa to enter this country because of the conviction of theft on January 10, 1947, and again on October 2, 1947. He was sentenced to 3 months' imprisonment and 1 month imprisonment, respectively. The beneficiary's aunt and uncle are citizens of the United States and desire to have the beneficiary enter the United States to reside with them.

A letter, with attached memorandum, dated April 14, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 14, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1104) for the relief of Guenther Kaschner, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of these files.

The bill is intended to exempt the beneficiary from the excluding provision of section 212 (a) (9) of the Immigration and Nationality Act which relates to aliens convicted of crimes involving moral turpitude, if he is found to be otherwise admissible under the provisions of that act. It would also provide that this exemption shall apply only to a ground of exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GUENTHER KASCHNER, BENEFICIARY OF H. R. 1104

The information concerning this case was obtained from Elsa Kaschner Blank, aunt of the beneficiary.

Guenther Kaschner was born on August 6, 1928, in Hamburg, Germany, and is a national of Germany. He has never been in the United States, is single, and now resides at 106 Geschwister-Scholl Street, Hamburg, Germany, with his parents. Mr. Kaschner completed the equivalent of our primary grade education and a special training course as a welder which occupation he is at present pursuing. No information is available as to his present income or assets other than that he is self-supporting.

Mrs. Elsa Kaschner Blank, the beneficiary's aunt, testified that the beneficiary was refused an immigrant visa by the American consulate, Hamburg, Germany, because of a conviction for petty larceny. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

The beneficiary's aunt and uncle, Mr. and Mrs. Arthur Blank, residing at 870 Joseph Avenue, Rochester, N. Y., are the proprietors of a business block and meat market worth about $12,000 as well as stock and bonds in the amount of $25,000.

The beneficiary has no other near relatives in the United States and, in addition to his parents, has a brother and sister residing in Germany.

The Director of the Visa Office, Department of State, also submitted the following report on the case:

DEPARTMENT OF STATE,
Washington, April 12, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of February 17, 1955, and its enclosures, wherein you request a report concerning the case of Guenther Kaschner, beneficiary of H. R. 1104, 84th Congress, 1st session.

According to a report received by the Department from the American consulate general at Hamburg, Germany, Guenther Kaschner, born August 6, 1928, at Hamburg, was convicted of theft in violation of article 242 of the German Penal Code on January 10, 1947, by the District Court of Hamburg, and was again convicted of theft on October 2, 1947, by the same court.

As theft has been held to constitute a crime involving moral turpitude within the meaning of section 212 (a) (9) of the Immigration and Nationality Act the consular officer concerned had no choice other than find Mr. Kaschner ineligible to receive a visa.

Inasmuch as Mr. Kaschner committed more than one offense involving moral turpitude his case would not be embraced within the provisions of section 4 of Public Law 770, 83d Congress, 2d session.

At this time the Department has no knowledge of any factor in Mr. Kaschner's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Kaschner from receiving a visa.

Sincerely yours,

ROLLAND WELCH, *Director, Visa Office.*

Congressman Kenneth B. Keating, the author of the bill, submitted the following information in connection with the case:

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Hamburg, Germany, April 2, 1954.

Hon. KENNETH B. KEATING,
House of Representatives.

MY DEAR MR. KEATING: Reference is made to your letter of December 1, 1953, and my reply of December 11, 1953, concerning the immigrant visa case of Mr. Guenther Kaschner.

This office has now received the court record concerning the sentence passed by the Low Court at Hamburg-Altona on January 10, 1947. Suggested translations of the statement and the sentence are enclosed.

The records regarding the sentence passed on October 2, 1947, have not yet been received. Mr. Kaschner was then sentenced to 1 month's imprisonment for theft, however, the circumstances of this offense are unknown to this office. As soon as these latter are received they will be transmitted to you.

Sincerely yours,

CLARE H. TIMBERLAKE,
American Consul General.

STATEMENT

[Translation]

1. To K. H. Section 4 of the Low Court at Hamburg-Altona with the proposal that the defendants (1) Bruno Bernhard Paul Siebert, born July 9, 1928, at Hamburg residing at Hamburg Lokstedt, Nedderfeld 5, not previously convicted; (2) Guenther Arthur Kaschner, born August 6, 1928, at Hamburg, residing at Hamburg 20, Niendorferstr. 16, be tried by expedited procedure.

I will accuse them together with two juvenile accomplices of having committed the following at Hamburg-Eidelstedt, on August 13, 1946, through two separate actions:

(1) Of having resolved to take movable property of others with the intention of converting it illegally to their use, by acts which constitute the inception of the intended but not accomplished offense of theft, in that they opened the door of a freight car which was not loaded, with the intention of theft, which they only abandoned because they did not find any useful objects;

(2) By one and the same action—

(*a*) of having intentionally removed other objects which were located at a special place for official custody;

(*b*) of having taken movable property at a railway station, such movable property being connected with other articles for transportation, with the intention of illegal conversion to their own use, by removing the seals, in that they opened a freight car which was closed with a wire and took two parcels containing fastenings made of plastic and a spurgear

Crimes and offenses against article 133I, 242, 243 section 4, 43, 73, 74, German Penal Code.

Evidence: Defendants' admission.

2. Four weeks.

WAGNER,
The Senior Public Prosecutor of the County Court Hamburg.

HAMBURG, *November 15, 1946.*

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[Translation]

File No. 4 b DLS 35/46

Sentence in the name of justice in the case against—

1. Bruno Bernhard Paul Siebert, born July 9, 1928, at Hamburg, residing at Hamburg-Lokstedt, Nedderfeld 5;

2. Guenther Arthur Kaschner, born August 6, 1928, at Hamburg, residing at Hamburg 20, Niendorferstr. 16;

for theft, the low court, section 4b at Hamburg-Altona, in its hearing of January 10, 1947, at which participated Amtsgerichtsrat Dr. Rode, as judge; Public Prosecutor Keller, as official of the office of the public prosecutor; Clerk Maier, as recorder, has adjudged:

The defendants are sentenced to 3 months and 1 week imprisonment for attempted theft and aggravated theft, under mitigating circumstances, in conjunction with breach of custody. They also have to pay the cost of the proceedings.

Reasons.—According to the outcome of the hearing, and particularly the credible admission of the 2 defendants, they are accused of 2 punishable acts—i. e., of attempted theft and also of accomplished theft in conjunction with breach of custody. This theft was accomplished by taking objects which were destined for transportation, removing the seals.

Giving consideration to the fact that the defendants were not previously convicted they were accorded mitigating circumstances for the accomplished aggravated theft.

The above sentence against the two defendants appeared necessary, but adequate.

Costs according to article 465 STPO.

RODE.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Hamburg, Germany, July 20, 1954.

Hon. KENNETH B. KEATING,
House of Representatives.

MY DEAR MR. KEATING: Reference is made to this office's letter of April 2, 1954, and previous correspondence, concerning the immigrant visa case of Mr. Guenther Kaschner.

A copy of the sentence passed on October 2, 1947, in the case of the above-mentioned person has recently been received by the consulate general, and a suggested translation thereof is enclosed herewith.

Sincerely yours,

GEORGE F. BOGARDUS,
American Consul.

[Translation]

Hamburg-Altona Low Court, section 9a; passed on October 2, 1947; signed: Maier, court clerk, as recorder.

Sentence in the name of justice in the case against the workman, Guenther Arthur Kaschner, born August 6, 1928, at Hamburg residing Hamburg 20, Geschwister Schollstr. 106.

The Hamburg-Altona Low Court, section 9a, has adjudged through Amtsgerichtsrat Kuhlei:

The defendant is sentenced to 1 month imprisonment for theft in conjunction with misappropriation. He also has to pay the fees of the proceedings.

Reasons: The defendant, whose statements are believed to be true, has admitted in the hearing that he misappropriated 8½ kilos (about 18½ pounds) of peas at the railroad station at Hamburg-Eidelstedt. The defendant stated during the hearing that in the morning of June 27, 1947, at about 6:20 a. m., he had seen a freight car colide with another one. On this occasion its front part had been damaged and some peas had fallen out. He had taken those. He further stated that he did not have the intention to sell the peas, but to consume them in his parents' household. The defendant had therefore to be convicted under articles 242, 133 section I, and 73 of the German Penal Code. In view of the trivial quantity, and giving consideration to the fact that the defendant evidently acted

out of need, the court did not consider that he intended to make a profit. As to the extent of punishment, the defendent had been convicted under a similar charge a short time before. Although he knew that he had been granted conditional suspension of the execution of that sentence, he did not refrain from committing another offense. Therefore, this offense could only be punished by imprisonment. A sentence of 1 month's imprisonment is therefore considered to be adequate.

Costs according to article 465 StPO.

KUHLEI.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1104) should be enacted.

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Calendar No. 1547

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1524

HARRY JOHN WILSON

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1137]

The Committee on the Judiciary, to which was referred the bill (H. R. 1137) for the relief of Harry John Wilson, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Harry John Wilson. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 63-year-old native of Scotland and citizen of Great Britain, who last entered the United States on February 22, 1937. He first entered this country in 1929, and has lived here continuously, with the exception of trips to Canada and Mexico. The record discloses that the beneficiary admits the commission of a crime involving moral turpitude in Canada in 1935, to wit, theft. He is presently employed as a truckdriver and handy man for a construction firm, and his employer states that the beneficiary is a steady and reliable employee. Other members of the community in which he resides, attest to the beneficiary's good moral character.

A letter, with attached memorandum, dated April 13, 1955, to the chairman of the Committee on the Judiciary of the House of Repre-

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sentatives from the Commissioner of Immigration and Naturalization with reference to the case, reads, as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 13, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1137) for the relief of Harry John Wilson, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Antonio, Tex., office of this Service, which has custody of the files.

The bill would grant the alien permanent residence in the United States upon the payment of the required visa fee. It would also direct that one quota number be deducted from the appropriate immigration quota.

The latest available information indicates that the quota for Great Britain, to which this beneficiary is chargeable, is not oversubscribed. Accordingly, it appears that he may be able to obtain a quota immigrant visa.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE HARRY JOHN WILSON, BENEFICIARY OF H. R. 1137

The beneficiary, Harry John Wilson, was born December 28, 1892, at Aberdeen, Scotland. He is single, a citizen of Great Britain, and last entered the United States at Laredo, Tex., on February 22, 1937.

The beneficiary is presently living at San Antonio, Tex., and is a truck driver and laborer by occupation. He completed eight grades in public school. He travels with a carnival during the summer months as a truck driver and earns $50 weekly; and, during the winter months, he works as a laborer at San Antonio and earns about $100 monthly. He has no property or other assets except an automobile and household effects valued at about $3,000. He has not seen any of his relatives since he was about 15 years of age, and has not heard from any of them since 1934. He first entered the United States in 1929, and has lived here more or less continuously since, except for trips to Canada and Mexico.

A warrant of arrest in deportation proceedings was issued against the beneficiary on April 11, 1945. The grounds for this warrant are: No visa at time of entry and the admission of conviction of a crime prior to entry, to wit, theft. There has been considerable administrative action in this matter during which he has been granted the privilege of voluntary departure. On March 17, 1953, the Board of Immigration Appeals granted him additional time to depart voluntarily, and also authorized preexamination. At the same time, the Board also ordered that if he would apply for admission within 30 days after his departure, he be admitted under the seventh proviso to section 3 of the act of February 5, 1917, if otherwise admissible than as one who had been convicted of and admits the commission of a crime involving moral turpitude, to wit, theft in Canada in Janauary 1935, subject to revocation in the discretion of the Attorney General, after hearing, if he subsequently commits any offense. He has experienced difficulty in obtaining nationality documents and has not compiled with the above order.

In addition to his arrest in Canada in 1935, as set forth above, the beneficiary was arrested in San Antonio, Tex., in 1935 for investigation, in Corpus Christi, Tex., in 1940 for vagrancy, and in San Antonio, Tex., in December of 1944 for failure to return his draft questionnaire, which last charge was nolle prossed because of his age and the fact that he was under deportation proceedings.

Congressman Paul J. Kilday, the author of the bill, submitted the following affidavits in support of the bill:

STATE OF TEXAS,
County of Bexar:

Before me, the undersigned authority, on this day personally appeared Harry John Wilson, known to me, who, being first duly sworn, deposes and says:

1. My name is Harry John Wilson and I reside at 816 Pleasanton Road (rear) San Antonio, Bexar County, Tex.

2. While I have no independent recollection thereof, my mother told me when I was a child that I was born Decemher 28, 1892, in Aberdeen, Scotland. My mother's name is Lydia White Wilson, and my father's name was Robert Wilson. My mother also told me that she and my father immigrated to Canada when I was 2 years of age and my earliest recollection is of living near Port Hope, Ontario, Canada.

3. I have several times declared my intention and desire to become an American citizen and repeated this desire in connection with the hearings held in the United States Immigration and Naturalization Office in connection with the action taken by that agency to deport me in case No. 1400–3093.

4. I requested that a search be made of the birth records for Aberdeen, Scotland, paid the required fee for such a search, and was advised under date of July 23. 1949, that a search of such records from 1890 to 1894 was made without finding a record of my birth. The original of the communication, the Registrar-General's Office, Edinburg, Scotland, so advising me, has heretofore been transmitted to the American consul general, Windsor, Ontario, Canada, with letter addressed to Hon. William T. Turner, dated November 3, 1949. Photostatic copies of the original are hereto attached.

I have also written to the British consul general in Houston, Tex., requesting that travel permit or other authorization in the nature of a passport be issued to me and furnished affidavit as to the facts. On August 20, 1949, I was advised that such permits could not be issued unless I could establish that I was born, or otherwise was a citizen of Great Britain.

6. For a number of years, I resided at 903 Pleasanton Road, San Antonio, Bexar County, Tex., but, for the past several years, I have resided at 816 Pleasanton Road (rear), San Antonio, Tex. I have worked steadily for Chris Miller, whose address is 147 Gerald, San Antonio, Tex., since the winter of the year 1936, as a truckdriver, until November 1952, at which time I obtained a better job with Roland Schmidt, a contractor, located at 1020 Pyron, San Antonio, Tex., by whom I am presently employed a greater part of the time. I also work for Frank B. Fawcett, the owner of the Standard Products Co., 816 Pleasanton Road, San Antonio, Tex., during times when I am not on my regular job. This is mostly at night, weekends, and holidays.

7. My early life was such that I did not receive very much education. I am able to read and write sufficiently to hold jobs which do not require a great deal of clerical work. My early years were spent as an animal trainer and laborer with circuses, traveling in the United States and Canada. My mother and father were divorced when I was quite small and afterward I was unable to get in touch with any of my family.

The first time I have felt like I had a home was in San Antonio, Tex. The friends I have there have been loyal and faithful to me. Their friendship is treasured and their confidence is appreciated. I hope I will be able to remain in San Antonio the remainder of my days.

There is no question in my mind but what the United States is a great country. I respect its form of government and I sincerely desire to become a citizen of the United States.

Witness my hand this 30th day of June 1953.

HARRY JOHN WILSON

Sworn to and subscribed before me this 30th day of June 1953.

[SEAL] GUY P. ALLISON,
Notary Public in and for Bexar County, Tex.

STATE OF TEXAS,
County of Bexar:

Before me, the undersigned authority, on this day personally appeared Frank B. Fawcett, who, being first duly sworn, deposes and says:

I have known and employed Harry John Wilson for the past 12 years in connection with the operation of the Standard Products Co., located at 816 Pleasanton Road, San Antonio, Tex.

My employment of Mr. Wilson has been during periods at night, on Saturday, and on Sunday, when he was not employed on his regular job. This employment has been as shop foreman. During the period of time I have known him and employed him, I have found Mr. Wilson to be straightforward, absolutely honest, and a good worker. Because of his near residence to my shop, there are many times when I desire for him to have access to my shop while I am not there. He carries a complete set of keys to my shop and storerooms and has access to all

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records and supplies. There has never been any reason to doubt Mr. Wilson's honesty and integrity and I have complete confidence in him.

This is to certify that Mr. Wilson will have employment with me at any time he desires such employment.

This affidavit is made with the knowledge that it is being offered in support of H. R. 4518, for the relief of Harry John Wilson

From my knowledge of Mr. Wilson, I recommend that favorable action be taken on this bill. I know that he has been, during all of the years that I have known him, an honest and law-abiding resident of this country. I know he has the desire to be a citizen of this country and I have every confidence that he will make a law-abiding and useful citizen.

Witness my hand this 30th day of June 1953.

FRANK B. FAWCETT.

Sworn to and subscribed before me, this 30th day of June 1953.

[SEAL] AL J. BARNHILL,
Notary Public in and for Bexar County, Tex.

STATE OF TEXAS,
County of Bexar:

Before me, the undersigned authority, on this day personally appeared Al J. Barnhill, who, first duly sworn, deposes and says:

This affidavit is made in the interest of Harry John Wilson, and in support of the bill offered by Hon. Paul J. Kilday for the purpose of authorizing Harry John Wilson to lawfully remain in the United States.

At the present time I am resident manager of the White-Plaza Hotel of San Antonio, Tex. I reside and own my own home at 815 Pleasanton Road, San Antonio, Tex. Harry John Wilson has lived in that vicinity for a long time and I have known him for more than 15 years.

During this period of time I have seen him frequently and see him nearly every day, as he resides in the rear of 816 Pleasanton Road, San Antonio, Tex.

During the years I have known Mr. Wilson, I have had many occasions to observe his thoughtfulness and kindness to others, particularly those who are homeless and friendless. In the neighborhood he is recognized as one who is always willing to assist a neighbor and has the reputation of being absolutely honest and dependable. He has keys to my home and automobile, and I have asked him to stay with my family and look after my family when it is necessary for me to be away from home.

I have offered him employment at the White-Plaza Hotel but he prefers to work outside. If at any time he would be willing to accept employment, I would be glad to employ him.

In my opinion, Harry John Wilson sincerely desires to be an American citizen, and will be a useful and law-abiding citizen in every respect. I am financially in position to do so and I am glad to guarantee that he will never be a public charge if allowed to remain in this country.

Witness my hand this 30th day of June 1953.

AL J. BARNHILL.

Sworn to and subscribed before me this 30th day of June 1953.

[SEAL] RUBY BREMER,
Notary Public in and for Bexar County, Tex.

STATE OF TEXAS,
County of Bexar:

Before me, the undersigned authority, on this day personally appeared Roland Schmidt, who, being by me first duly sworn, upon his oath, deposes and says:

My name is Roland Schmidt and I am the owner of the business known as Roland Schmidt, Contractor. I am engaged in the business of constructing and repairing roads and streets in the vicinity of San Antonio, Bexar County, Tex.

Harry John Wilson is employed by me as a truck driver and handy man. He has worked for me since November 1952. During this period of time I have had ample opportunity to evaluate both his character and work. Mr Wilson has proven to be a steady worker, and he is sober and entirely reliable.

Mr. Wilson's employment is permanent and I will be happy to continue to employ him as long as he desires to work for me. His rate of pay is $1.06 an

hour. He generally works at least 40 hours per week or longer, depending upon the weather conditions.

ROLAND SCHMIDT.

Sworn to and subscribed before me, this 11th day of June 1953.

[SEAL] AL J. BARNHILL,
Notary Public in and for Bexar County, Tex.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1137) should be enacted.

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Calendar No. 1548

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1525

NUMERIANO LAGMAY

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1209]

The Committee on the Judiciary, to which was referred the bill (H. R. 1209) for the relief of Numeriano Lagmay, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Numeriano Lagmay. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 35-year-old native and citizen of the Philippine Islands, who last entered the United States on April 6, 1952, as a visitor. He first entered this country on March 19, 1947, for the purpose of attending an accredited school, at which time he was accompanied by his wife. They departed on January 21, 1949. The beneficiary served in the United States Armed Forces from September 1, 1941, to March 12, 1946, when he was honorably discharged. He was inducted as a first sergeant and attained the rank of a commissioned officer. While serving, he was wounded in action twice. The beneficiary's wife and two minor alien children reside in the Philippines, and the beneficiary states that he wishes to bring them to this country if he is permitted to remain. In addition, the couple has another child who is a citizen of the United States and who resides with the beneficiary. The beneficiary is a teacher by profession.

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A letter, with attached memorandum, dated May 3, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 3, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1209) for the relief of Numeriano Lagmay, there is attached a narrative memorandum report concerning the beneficiary. This report has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It would also direct that a quota number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota for the Philippines.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE NUMERIANO LAGMAY, BENEFICIARY OF H. R. 1209

The beneficiary, Numeriano Lagmay, is a native citizen of the Philippine Islands. He was born on May 28, 1920, at Santa Maria, Ilocos Sur, Philippine Islands. He is married to a citizen of the Philippine Islands and the couple have 3 children ranging in age from 7 to 2 years. The oldest child was born in the United States and is a citizen of this country. The other two were born abroad and are both citizens of the Philippine Islands. The three alien members of the beneficiary's family reside in the Philippine Islands and are maintained by relatives. The oldest child lives in the United States with the beneficiary and is dependent for support on his earnings. The beneficiary testified that he and his wife are not separated and that he intends to bring all of them to the United States as soon as visas for their entry are available.

The beneficiary completed 2 years of college in the Philippine Islands. In 1940 he entered the teaching profession in that country. He served honorably in the United States Armed Forces during the period September 1, 1941, to March 12, 1946. All of his military service, including enlistment, was in the Philippine Islands. After release from the Armed Forces, he returned to the teaching profession.

The beneficiary first entered the United States on March 19, 1947, for a temporary period of 1 year for the purpose of attending an accredited school. He subsequently failed to maintain the exempt status under which admitted and expulsion proceedings were initiated. He and his wife departed voluntarily on January 21, 1949. The beneficiary reentered the United States on April 6, 1952, for a temporary visit of 3 months. His temporary visit was extended until April 5, 1953. Deportation was deferred during the pendency of private legislation, which was introduced on his behalf during the 83d Congress. The beneficiary will be given a hearing on May 2, 1955, in reference to illegal residence in the United States.

The beneficiary is not entitled to the benefits contained in the Immigration and Nationality Act of 1952 relating to the naturalization of former members of the United States Armed Forces. His enlistment and subsequent entry into the United States were not made under qualifying conditions.

Congressman Gordon L. McDonough, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, as follows:

STATEMENT OF CONGRESSMAN GORDON L. MCDONOUGH IN SUPPORT OF H. R. 1209 FOR RELIEF OF NUMERIANO LAGMAY

Mr. MCDONOUGH. Mr. Chairman, I introduced H. R. 1209 for the relief of Mr. Numeriano Lagmay because in my opinion the circumstances in his case

merit consideration of legislative relief to grant him permanent residence in the United States.

Mr. Lagmay was born in the Philippine Islands, May 28, 1920. During World War II, he established an excellent service record with the United States Armed Forces. His service extended from September 1, 1941, to March 12, 1946, he was inducted as a first sergeant and attained the rank of commissioned officer, and he has a combat record including many engagements in which he was wounded twice.

In spite of his excellent war record in the service of the United States, Mr. Lagmay does not qualify for admission to this country under the provisions of the Immigration and Nationality Act of 1952, and all efforts he has made to obtain administrative relief have failed.

As the Philippine quota is heavily oversubscribed, it would not be possible for him to obtain a visa for may years.

Mr. Lagmay entered the United States in 1947 at which time he attended school. He was married during his stay in this country, and his eldest child, a daughter 7 years of age, was born here, and is an American citizen.

His wife and two other children are citizens of the Philippines and at present reside there, but expect to come to the United States as soon as possible to join Mr. Lagmay and the eldest child if Mr. Lagmay receives permanent residence status.

Mr. Lagmay's excellent war record combined with his good character record, in my opinion should entitle Mr. Lagmay to permanent residence in this country. As a matter of fact, legislation recently approved in the case of certain individuals of Philippine nationality who served with the United States Navy granted them permanent residence in view of their service record, and I believe Mr. Lagmay is entitled to the same consideration.

Mr. Lagmay has proved his ability to support his family since he has been in the United States, and in addition has sponsors who will guarantee that he will not become a public charge.

He was also trained in the teaching profession, and can qualify to teach at either the high school or college level.

In view of all of the facts in this case, I sincerely request favorable consideration of H. R. 1209 for the relief of Numeriano Lagmay which will permit him to remain in the United States with his daughter who is being educated in this country as a citizen of the United States, and to bring his wife and two other children here so that the family may be reunited and live in the country of their choice and in whose behalf Mr. Lagmay fought throughout World War II.

In addition, Congressman McDonough submitted the following letters in support of the bill:

LOS ANGELES, CALIF., *May 26, 1955.*

Re Numeriano D. Lagmay

Hon. GORDON L. MCDONOUGH,
Member of Congress, Washington, D. C.

DEAR SIR: This letter is concerning the above, Mr. Lagmay. He is employed by our firm in the capacity of an assistant to salesman. He has been with our firm for approximately 2 years.

We find him to be a conscientious and dependable worker. A very progressive person, always trying to improve himself by studying very hard in other lines of work. He is endeavoring to improve his knowledge in order to become a better American citizen.

We wish to recommend him very highly. Any favors you may do for Mr. Lagmay will be greatly appreciated.

Yours very truly,

FOREST F. NEWTON & SONS, INC.
FOREST F. NEWTON.

CHURCH OF THE IMMACULATE CONCEPTION,
Los Angeles, May 25, 1955.

Hon. GORDON L. MCDONOUGH,
Member of United States Congress,
Washington, D. C.

DEAR CONGRESSMAN: It is with pleasure that I recommend to you Mr. Numeriano Lagmay so that you may use your influence so that his status in this country may be established and adjusted legally

I know that Mr. Lagmay is worthy in every way for our endorsement of his upright character. He is living with his sister-in-law in this parish. Mrs. Simplicio Domingo at 1050 South Burlington Avenue, Los Angeles.

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I want to thank you for your kind attention in this good matter.
With personal good wishes to Mrs. McDonough and to you, I remain
Very cordially yours,

Rt. Rev. Msgr. JOSEPH J. TRUXAW, *Pastor.*

FILIPINO COMMUNITY OF LOS ANGELES, INC.,
Los Angeles, Calif., May 26, 1955.

Hon. GORDON L. MCDONOUGH,
Member of Congress, Washington, D. C.

DEAR CONGRESSMAN: Allow me to address this letter in my capacity as president of the organization above in behalf of Mr. Numeriano D. Lagmay for the legal adjustment of his status in the United States.

I have known Mr. Lagmay since he first came to this country in 1947. Immediately after he arrived, he associated himself with the masses, and he is one fellow that can get along with everybody, always helpful to those who need his help. He is industrious, brilliant, and very dependable. He has been thrice secretary and twice vice president of this organization. He is at present head of several church and civic clubs.

I therefore strongly endorse that Mr. Lagmay be allowed to stay here permanently because he would be a great asset to the Filipino community in particular and to this country in general.

Thanking you most kindly for any help you can extend in his favor, I remain,
Gratefully yours,

ESTEBAN DIZON.

ASSOCIATED FILIPINO PRESS,
Los Angeles, Calif., May 26, 1955.

Re Numeriano D. Lagmay.

Hon. GORDON L. MCDONOUGH,
Member of Congress, Washington, D. C.

DEAR SIR: I have been informed that Mr. Numeriano Lagmay is presently in the process of applying for permanent residence in the United States. As publisher and editor of the Associated Filipino Press for 26 years in this country, thrice president of the Los Angeles Filipino community, and former USO director of the NCCS unit, I hereby recommend without reservation that Mr. Lagmay be given your utmost consideration.

Mr. Lagmay who was previously a municipal secretary and a reserve officer in the Philippines before coming here, is presently the president of his hometown organization, the Santa Maria Association; vice president of the Filipino Community of Los Angeles; and an active member of the American Legion, Manila Post No. 464. He was also past president of the St. Columban Catholic Club, secretary of the St. Columban Holy Name Society, and secretary of the Filipino community.

All these attest to the moral fitness, integrity, and ability of Mr. Lagmay. No doubt, he will prove to be an asset to his community and will perform faithfully the obligations that residence in this great country demands. I can personally vouch that he has never been and is not now engaged in any activity contrary to this country's ideals.

Very sincerely yours,

FRANCISCO A. LOPEZ.

MANILA POST, NO. 464, THE AMERICAN LEGION,
Los Angeles, Calif., April 21, 1955.

To Whom It May Concern:

This is to certify that Comrade Numeriano D. Lagmay is a member of the Manila Post No. 464, 20th District, American Legion, Department of California.

Comrade Lagmay was a past historian and at present a sergeant-at-arms and one of the alternate delegates of the post.

Any assistance extended to him will be highly appreciated by the undersigned.

PAUL R. GARCIA, *Commander.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1209) should be enacted.

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Calendar No. 1549

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1526

SISTER RAMONA MARIA (RAMONA E. TOMBO)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1323]

The Committee on the Judiciary, to which was referred the bill (H. R. 1323) for the relief of Sister Ramona Maria (Ramona E. Tombo), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Sister Ramona Maria (Ramona E. Tombo). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 55-year-old native and citizen of the Philippine Islands who last entered the United States on September 6, 1951, as a student. She previously entered the United States on June 24, 1936, as an immigrant, and remained until 1944. The beneficiary is a Catholic nun attached to the Maryknoll Sisters. From 1944 to 1945, the beneficiary served in Honolulu, and was then assigned to the St. James Academy in the Philippines. The order to which the beneficiary is attached is known for its foreign missionary work in the fields of education, medicine, and social service. The beneficiary is a dentist and is presently taking educational courses at the Maryknoll Teacher's College, Ossining, N. Y.

A letter, with attached memorandum, dated April 26, 1954, to the then chairman of the Committee on the Judiciary of the House of

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Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 8345, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

APRIL 26, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8345) for the relief of Romona Esquerra Tombo, also known as Sister Romona Maria, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of the Philippine Islands.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE SISTER ROMONA MARIA, BENEFICIARY OF H. R. 8345

Sister Romona Maria, also known as Romona Esquerra Tombo, is a native and citizen of the Philippine Islands, born April 1, 1910, at Cabanatuan, Nueva Ecija. Her last arrival in the United States occurred September 6, 1951, at San Francisco, Calif., on the steamship *American Transport*, at which time she was admitted as a student. The beneficiary is maintaining status and present extension of her temporary stay is to June 1, 1954.

Sister Romona Maria first entered the United States at Seattle, Wash., on the steamship *President McKinley* on June 24, 1936, as an immigrant and remained until 1944, at the Maryknoll Sisters Motherhouse, Ossining, N. Y. In 1944 she was assigned to St. Catherine's Convent, Honolulu, T. H., where she remained until 1945. In 1945 she returned to the Philippine Islands and was stationed at St. James Academy, Malaban Rizal.

Sister Romona Maria has no relatives in the United States. Three sisters and two brothers reside in the Philippines. She has no assets or debts. Sister Romona Maria entered the Maryknoll Sisters order in 1936. This order is known for its foreign missionary work in the field of education, medicine, clinics, and social service. Sister Romona Maria is a graduate of the University of the Philippines, where she received her bachelor of science degree in 1933 and her doctor of dentistry in 1934. At present she is the only dentist in the Maryknoll order. At present she is taking educational courses at the Maryknoll Teacher's College, Ossining, N. Y.

Congressman Thomas P. O'Neill, Jr., the author of the bill, wrote to the chairman of a subcommittee of the Committee on the Judiciary of the House of Representatives in connection with the case as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 14, 1955.

Re Sister Ramona Maria (H. R. 1323).

Hon. FRANCIS E. WALTER,
Chairman, Subcommittee on Immigration and Naturalization,
House Committee on the Judiciary,
Old House Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: I am very deeply and personally interested in securing favorable action in your subcommittee on the above-named legislation.

Both Mother Mary Columba, Mother General of the Maryknoll Sisters' Motherhouse, and my aunt, who is Sister Mary Eunice, have kept in almost constant touch with me on this worthy legislation.

Sister Ramona Maria is the only dentist in the Maryknoll order and at the present time she is taking additional educational courses at the Maryknoll

Teacher's College. All of the nuns at Maryknoll are most anxious to have Sister Ramona Maria remain in the United States to assist in caring for their dental needs. It is their hope that she may be granted the privilege of permanent residence, obtain a dental license in the United States, and perform dental services for Sisters preparing for missionary work.

Your sympathetic consideration of the legislation will be much appreciated.

Sincerely,

THOMAS P. O'NEILL, JR.,
Member of Congress.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1323) should be enacted.

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Calendar No. 1550

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1527

MRS. MOLI (MALI) SOBEL

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1544]

The Committee on the Judiciary, to which was referred the bill (H. R. 1544) for the relief of Mrs. Moli (Mali) Sobel, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mrs. Moli (Mali) Sobel. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 58-year-old native of Rumania, presently stateless, who last entered the United States on November 3, 1948, as a visitor. Her last residence abroad was in the Dominican Republic. The beneficiary is a widow and resides with her son, a United States citizen veteran, upon whom she is dependent for support. In addition, the beneficiary has four brothers in the United States who are willing to contribute toward her support if necessary.

A letter, with attached memorandum, dated January 3, 1955, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., January 3, 1955.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10210) for the relief of Mrs. Moli (Mali) Sobel, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office of this Service, which has custody of those files. According to the records of this Service, the correct name of the beneficiary is Mali Sobel.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Rumania.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MALI SOBEL, BENEFICIARY OF H. R. 10210

The beneficiary, Mali Sobel, was born February 14, 1898, in Czernowitz, Rumania. She is stateless and was last a citizen of Rumania. Her last residence abroad was in Ciudad Trujillo, Dominican Republic. She last arrived in the United States at New York, N. Y., November 3, 1948, and was admitted as a temporary visitor for pleasure until April 28, 1949. On February 28, 1949, she made an application to adjust her immigration status pursuant to the provisions of section 4 of the Displaced Persons Act of 1948. This application was denied for the reason that she was not eligible for relief under the act by reason of her arrival in the United States subsequent to April 1, 1948. On April 4, 1951, she submitted another application under the same act, as amended, which application was denied on March 9, 1954, on the ground that she was not a nonimmigrant at the time of her last entry into the United States.

Deportation proceedings were instituted on February 20, 1951, on the ground that, after admission as a visitor, she had remained in the United States longer than permitted. On October 13, 1954, an order was entered in her case by a special inquiry officer ordering that she be granted voluntary departure from the United States within such time as authorized. It was further ordered that should she fail to depart within the authorized time the order granting voluntary departure be withdrawn without further proceedings and the alien deported from the United States on the ground stated above. An appeal from this order was taken by the alien's attorney and on December 1, 1954, the entire record of the deportation hearing was forwarded to the Board of Immigration Appeals for decision. To date no decision has been rendered.

The alien attended elementary school in Rumania for 6 years. She is a widow, her husband having died in a concentration camp in Europe. She has not been employed since her entry into the United States nor was she employed prior to her entry. She is dependent upon her son, Erwin Mark Sobel, for her support. She has four brothers in the United States who are willing to contribute toward her support if called upon to do so. There is no indication of any kind of political activity on the part of the alien, either before or after her entry into the United States.

Congressman Sidney R. Yates, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 9, 1955.

Re Mrs. MOLI SOBEL
Hon. EMANUEL CELLER,
Chairman, House Judiciary Committee,
Washington, D. C.

DEAR MR. CHAIRMAN: Thank you for your letter of May 3 advising me that my bill H. R. 1544 on behalf of Mrs. Moli Sobel will be reached for hearing later this month or early in June.

In this connection, I enclose for the consideration of the committee, the letter I received today from Mr. Igor Sobel of 420 Melrose Avenue, Chicago 13, Ill., the son of Mrs. Moli Sobel. Mr. Sobel served for 3 years in the United States Army in World War II in Intelligence Unit 317 MIP. Should Mrs. Sobel be deported to Rumania, it is feared that she may be subjected to atrocities and abuse, particularly in view of the fact that her son served in Army Intelligence.

With kindest regards,
Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

FEUER FUR CO.,
Chicago, May 4, 1955.

Re Mrs. Moli (Mali) Sobel.
Congressman SIDNEY R. YATES,
Congress of the United States,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN YATES: On August 10, 1954, you were kind enough to inform me that you had introduced a bill, H. R. 10210, in the House of Representatives on behalf of my mother Mrs. Mali Sobel.

I am gravely concerned with the results thereof and am taking the liberty of once again appealing to your kind consideration and that of the members of the respective committees who will make the final decision on this bill and the fate of my mother.

At this time, the local authorities of the Immigration Board are processing my mother's papers for deportation to her native country—Rumania (behind the Iron Curtain). Therefore, I keenly feel my duty to my mother and earnestly believe that inasmuch as I have served, for 3 years, in the United States Army (Intelligence Unit, 317 MIP) and having been honorably discharged, that I am deserving of genuine consideration in my appeal to protect my mother.

I found it a great privilege and honor to fight for the United States to preserve its freedom and democracy and now feel a great satisfaction in being a naturalized citizen of this great country.

I am thoroughly confident that with your keen awareness of this matter, you will use every means at your command to obviate any possibility of my mother's subjection to the atrocities and abuse she would invariably suffer in the event of deportation.

With sincerest and deepest appreciation of your efforts in this matter and trusting that I will hear from you at the earliest possible date, I am
Respectfully yours,

IGOR SOBEL.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1544) should be enacted.

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Calendar No. 1551

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1528

JOSE CANENCIA-CASTANEDO

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1666]

The Committee on the Judiciary, to which was referred the bill (H. R. 1666) for the relief of Jose Canencia-Castanedo, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jose Canencia-Castanedo. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 26-year-old native and citizen of Spain, who was paroled into the United States on July 13, 1952, upon his representations that he would secure a student's visa and be admitted as a student. While still on parole, the beneficiary was inducted into the United States Army on May 18, 1953. On April 29, 1955, the beneficiary completed his Army service and was transferred to the Army Reserve. The beneficiary has a sister in this country who is a United States citizen. He plans to attend college under the GI bill and study toward a degree in civil engineering.

A letter, with attached memorandum, dated June 15, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

90006°—57 S. Rept., 84-2, vol. 6——36

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UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 15, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1666) for the relief of Jose Canencia-Castanedo, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Spain.

Sincerely,

————— —————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOSE CANENCIA-CASTANEDO, BENEFICIARY OF H. R. 1666

The beneficiary, Jose Canencia-Castanedo, a native and citizen of Spain, was born on July 2, 1929. He is single and resides at 1855 Estvely Street, Long Beach. Calif. Mr. Canencia was recently discharged from the United States Army and as yet is not employed. He plans to enter Long Beach City College, Long Beach, Calif., in September 1955 to resume his studies toward a degree in civil engineering. Under the benefits of the GI bill of rights he will receive $135 per month for a period of 36 months while in attendance at Long Beach City College. The beneficiary attended elementary and high school in Mexico and 1 year of college at Long Beach, Calif. He has no assets other than an automobile valued at $525. He claims his mother as a dependent, and for the past 2 years has contributed $90 per month toward her support. He has two sisters residing in the United States; one is a naturalized United States citizen and the other is a citizen of Spain. His mother and an elder brother reside in Mexico City, Mexico.

The beneficiary was paroled into the United States at San Ysidro, Calif., on July 13, 1952 upon his representations that he would secure a student's visa and be admitted as a student. While still on parole he was inducted into the United States Army on May 18, 1953. He completed his Army service on April 29, 1955 at Camp Kilmer, N. J., and on April 30, 1955 was transferred to the Army Reserve in accordance with the provisions of the Universal Military Training and Service Act. Mr. Canencia's parole status has been resumed. He appears to be eligible for the privilege of preexamination, and on May 31, 1955 indicated he would avail himself of that privilege.

Congressman Craig Hosmer, the author of the bill, submitted the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 22, 1955.

Re H. R. 1666

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR CHAIRMAN CELLER: Thanks for sending me a copy of the report from the Immigration and Naturalization Service on the above-mentioned bill which is for the relief of Jose Canencia-Castanedo.

I wish to call the attention of the committee to the last statement in the report: "He appears to be eligible for the privilege of preexamination, and on May 31, 1955, indicated he would avail himself of that privilege." This statement is incorrect as Mr. C. B. Doughty, private bill control, Immigration and Naturalization Service, undoubtedly has pointed out to Mr. Besterman of your committee.

Mr. Castanedo, upon the advice of the immigration office in Los Angeles, did make application to the American consul in Vancouver for a permanent residence visa. However, the immigration office here has pointed out that since Mr. Castanedo falls under the fourth preference Spanish quota—which is not

open and will not be for a long time—there is no way in which he is eligible for administrative relief. This private bill is the only solution to his problem. Therefore, I request that everything possible be done before the end of this session to have favorable action taken on this legislation.

As I have pointed out before to the committee, Castanedo is ineligible for naturalization under Public Law 86, 83d Congress, because he was called into the service of this country less than 2 months before he had resided in the United States for the year required under Public Law 86, which would automatically have made him eligible for citizenship. It is for this reason that I feel that everything possible should be done in his behalf. If a young man has served 2 years in the service of the United States and has been given the fine commendation for his service that Mr. Castanedo has been given by his commanding officer, it appears that he should be given every consideration in his desire to become a naturalized citizen of this country.

Thank you for your courtesy and consideration.

Sincerely yours,

CRAIG HOSMER,
Member of Congress, 18th District, California.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 29, 1955.

Re H. R. 1666

Hon. EMANUEL CELLER,
Chairman, House Committee on the Judiciary,
Old House Office Building.

DEAR CHAIRMAN CELLER: This refers to my letter of June 22 regarding the report from the Immigration and Naturalization Service on the above-mentioned bill for the relief of Jose Canencia-Castanedo.

I am enclosing a letter from the United States consul in Vancouver to Mr. Castanedo which confirms the information in my letter to you to the effect that Mr. Castanedo is not eligible for relief through preexamination as previously had been stated by the Immigration and Naturalization Service.

Please make this letter a part of your file on this legislation. Also, I shall greatly appreciate consideration of this bill by both subcommittee No. 1 and the full committee as soon as possible. It is a very worthy case, as I am sure you will agree.

Sincerely yours,

CRAIG HOSMER,
Member of Congress, 18th District of California.

THE FOREIGN SERVICE
OF THE UNITED STATES OF AMERICA,
UNITED STATES CONSULATE GENERAL,
Vancouver, B. C., Canada, June 20, 1955.

MR. JOSE C. CASTANEDO,
Long Beach, Calif.

SIR: The consulate general has received your letter of June 11, 1955, enclosing preliminary application for immigrant visa, from which it is noted that you were born in Spain and that you come under the fourth preference category on the quota waiting list for that country.

In reply you are informed that the Spanish quota is oversubscribed, and that therefore your application cannot be considered so long as your remain in the United States. At such time as you depart from the United States you may register your name on the waiting list of intending immigrants at any consular office.

Very truly yours,

CHARLES H. STEPHAN,
United States Consul
(For the Consul General).

In addition, Congressman Hosmer wrote to the chairman of the Senate Judiciary Committee on August 2, 1955, as follows concerning the beneficiary:

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HOUSE OF REPRESENTATIVES,
Washington, D. C., August 2, 1955.

Re H. R. 1666

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington D. C.

DEAR MR. KILGORE: This refers to the above-captioned bill which I introduced for the relief of Jose Canencia-Castanedo and which was acted upon favorably by the House on July 30 and is now before your committee.

I shall greatly appreciate your cooperation in seeing that consideration is given to this bill by your committee as early as possible in the second session.

This case is, in my judgment, a very worthy one. This young man was called into the service of this country less than 2 months before he had resided in the United States for the year required under Public Law 86, which would have made him automatically eligible for citizenship. It is for this reason that I feel that everything possible should be done in his behalf. If a young man has served 2 years in the service of the United States and has been given the fine commendation for his service that Mr. Castanedo has been given by his commanding officer, it appears that he should be given every consideration in his desire to become a naturalized citizen of this country.

Thank you for your courtesy and consideration.

Sincerely yours,

CRAIG HOSMER,
Member of Congress. 18th District. California.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1666) should be enacted.

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Calendar No. 1552

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1529

ANE KARLIC VLASICH

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1920]

The Committee on the Judiciary, to which was referred the bill (H. R. 1920) for the relief of Ane Karlic Vlasich, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor child adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 17-year-old native and citizen of Yugoslavia, who presently resides in that country. She has been adopted by proxy through an attorney in Yugoslavia by Mr. and Mrs. Charles Vlasich, who are citizens of the United States and distant relatives of the beneficiary. They have no children of their own and are most anxious to have the beneficiary come to this country and be raised as their own daughter. They are financially well able to provide for the beneficiary.

A letter, with attached memorandum, dated June 24, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 7964, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

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JUNE 24, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7964) for the relief of Ane Karlic Vlasich, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill would waive the quota restriction by providing that, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child. Ane Karlic Vlasich, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Charles Vlasich, citizens of the United States.

As a native of Yugoslavia, the beneficiary would be chargeable to the quota of that country.

Sincerely,

——— ———, *Commissioner,*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ANE KARLIC VLASICH, BENEFICIARY OF H. R. 7964

The beneficiary is residing in Yugoslavia and has never resided in this country. She is 16 years old, and the daughter of distant relatives of the sponsors, Charles and Marie Vlasich, who reside at 43 South Wilson Way in Stockton, Calif. The sponsors claim to have adopted the beneficiary by proxy through an attorney in Yugoslavia, and they and her parents wish to have her come to the United States and live with the sponsors as their daughter. The sponsors have no children. The beneficiary is the eldest of five children in her family.

Beneficiary was born on January 27, 1938, at Cepikuce, Lisac Dalmacia, Yugoslavia, and resides there now with her parents. Her father, Miho Karlich, and her mother, Mary Karlich, have never been in this country. The sponsors state that Mr. and Mrs. Karlich find it difficult to support their large family in Yugoslavia. They also state that since they have no children of their own, they would like to raise her as though she were their own daughter. They state that the beneficiary is quite anxious to come to this country.

Beneficiary is said to have completed the eighth grade of common school and is still attending school in Yugoslavia. She would be supported by the sponsors and will live with them in their home. Mr. Vlasich stated that he has been employed as a plumber by the Miller & Hays Co., Stockton, Calif., for more than 30 years; that his annual income from wages and other sources approximates $12,000; that his financial worth would be about seventy-five or eighty thousand dollars and consists of real estate. Mr. Vlasich was born March 20, 1888, at Cepikuce, Ston, Austria, now Yugoslavia. He came to the United States in 1899 and was naturalized a citizen of this country in the superior court at Stockton, Calif., November 12, 1919. His wife, Marie, was born December 17, 1893, at Lodi, Calif., and they were married June 25, 1919. The only organizations to which they have belonged are said to be the Redmen's lodge, and his wife has belonged to the Rainbow, Rebecca lodge and the native Daughters of the Golden West. The sponsors have a very good reputation in the community where they reside.

Congressman Leroy Johnson, the author of the bill, submitted the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 15, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: Referring to your letter of April 15, I am enclosing a translated copy of a letter received in connection with the case of Ane Karlic Vlasich (H. R. 7964).

I refer you to page 2 of my enclosure, which indicates a passport was issued on October 10, 1951, bearing number 034420.

In view of the above, I trust an early hearing may be scheduled.

Sincerely yours,

LEROY JOHNSON,
Representative in Congress.

[Translation from Serbo-Croatian]

CEPIKUĆE, *May 2, 1954.*

MY DEAR UNCLE: Finally I have the opportunity to write you. Thank God we are all well. We hope you and our aunt are too. I received your letter and understood everything you wrote me, as well as that you sent fifty peća. I am answering you immediately and sending all data concerning little Ave. Now, my dear uncle, I have nothing more to add. We have had bad weather and we will have no cherries. Please accept our best greetings from me, Marija, Ave, and the other children. Remember us to our aunt. Keep well,

Your nephew,

MIHO.

Let us know as soon as you receive this letter.

My dear uncle, yesterday I was at Dubrovnik. I am sending you little Ave's [file] number. We understood what you wrote to us. We are glad to learn about what you settled over there. As for me, I have finished everything with our authorities. What was done by you was important in order that little Ave might be granted an American visa and go over there. But [it was also necessary] for your Government to know whether Ave has a Yugoslav passport and whether she has been registered for the granting of the visa at the Embassy in Belgrade. You ought to know that Ave received a Yugoslav passport 3 years ago and we had to have it renewed twice and pay for it. Therefore we must have it renewed now and pay as much as the other times—9,000 dinars or 30 peća in your money.

And now, uncle and aunt, here you have the number of her passport and the number under which she is registered for the [granting of the] American visa: Passport No. 034420; registration No. 6258.

My dear uncle, she received the passport on October 10, 1951. We believe and hope that Ave will be granted the visa as soon as you submit these data and numbers to the authorities there. My dear uncle and aunt, you will see whether Ave will come over there. All of Ave's clothes are too small and we do not know what to do. But if she sends anything, our aunt should send larger things and shoes, No. 41, because Ave has grown up.

Translated by Dr. F. Gjupanovich; supervised by Dr. V. Gsovski, Chief Foreign Law Section, Law Library, Library of Congress, June 10, 1954.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1920) should be enacted.

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Calendar No. 1553

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1530

KEVIN MURPHY

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1923]

The Committee on the Judiciary, to which was referred the bill (H. R. 1923) for the relief of Kevin Murphy, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable Kevin Murphy to enjoy the immigration status of one who was born in England.

STATEMENT OF FACTS

The beneficiary of the bill is a 16-year-old British subject, born in India, who presently resides in England with an uncle. The beneficiary resided in India with his parents, who were British subjects, until their death in 1948. His sister is a naturalized citizen of this country, and she and her citizen veteran husband are anxious to have the beneficiary reside with them and complete his education in this country. The instant bill will enable the beneficiary to qualify for a visa under the British quota, rather than the quota for India, which is currently oversubscribed.

A letter, with attached memorandum, dated July 20, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 7965, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

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JULY 20, 1950.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7965) for the relief of Kevin Murphy there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill would waive the provisions of section 202 of the Immigration and Nationality Act and provide that the beneficiary shall be held to have been born in England. As a native of India, the beneficiary is chargeable to the quota for that country.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE KEVIN MURPHY, BENEFICIARY OF H. R. 7965

Kevin Murphy is a 16-year-old British subject who was born in India, has never lived in the United States, and is presently residing at 34 Chestnut Drive, Pinner, Middlesex, England, with his uncle. Information concerning him was furnished by his sister, Mrs. Patricia Richards, of Stockton, Calif.

Mrs. Richards testified that she also was born in India, and became a naturalized citizen of the United States in 1953. Her parents were born in Northern Ireland and were British subjects at the time of their death in 1948 in India. After their death the beneficiary was taken to England by his uncle. Because the quota for India, to which he is chargeable, is oversubscribed he has been unable to obtain a visa to come to the United States to live with his sister, who wished to make a home for him.

Mrs. Richards' husband, Peter R. Richards, is employed as a truckdriver in Stockton, and she is a bakery worker. Her income is about $2,900 per annum, and that of her husband is union scale for truckdrivers. Their combined income for the past year was approximately $7,000. Mr. Richards served honorably in the Armed Forces of the United States during World War II.

The Director of the Visa Office, Department of State, also submitted the following report on the case:

DEPARTMENT OF STATE,
Washington, March 30, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Reference is made to your letter of February 23, 1954, and its enclosures, wherein you request a report of the facts in the case of Kevin Murphy, beneficiary of H. R. 7965, 83d Congress, 2d session.

According to the Department's records, the aforementioned young boy registered on the waiting list for the Indian quota at the American consulate general at Calcutta on May 8, 1950. He is entitled to fourth preference quota status as the alien brother of an American citizen, on the basis of a petition approved in his behalf by the Immigration and Naturalization Service of the Department of Justice. However, in view of the very greatly oversubscribed condition of the quota an extended period of waiting is likely to ensue before a fourth preference number will become available to cover the issuance of an immigrant visa to him.

At this time, the Department has no information from which it can be ascertained whether Kevin Murphy is otherwise eligible to receive an immigrant visa under the immigration laws and regulations.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Congressman Leroy Johnson, the author of the bill, submitted the following letter in support of the bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 28, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: The purpose of this letter is to request you to have the departments conduct an investigation, and submit their reports to you in the case of Kevin Murphy, H. R. 1923.

Inasmuch as I introduced a bill in the last Congress on behalf of the above-mentioned person, and time did not permit the scheduling of a hearing, I am very anxious to obtain early action this year.

The report received from the Immigration and Naturalization Service last year will indicate to you that the parents of the boy are deceased and he is presently residing with an uncle in England. His sister would like to make a home for him. The urgency of the matter stems from the fact that the young man is 16 years of age, and the beneficiaries want to give him the opportunity of completing his education in our good schools.

Upon receipt of the new reports, I shall ask you for a hearing date.

Sincerely yours,

LEROY JOHNSON.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1923) should be enacted.

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Calendar No. 1554

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1531

INDUK PAHK

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2054]

The Committee on the Judiciary, to which was referred the bill (H. R. 2054) for the relief of Induk Pahk, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Induk Pahk. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 58-year-old native and citizen of Korea, who last entered the United States on December 10, 1947, as a visitor. The beneficiary was educated in this country from 1926 to 1928, having attended Wesleyan College and Columbia Teachers College. During the American occupation of South Korea, the beneficiary worked for the American military Government in the Department of Public Information as a radio lecturer on democracy and the enlightment of Korean women. In this capacity, she was sent to this country on a cultural mission. When the Korean war broke out, the beneficiary wrote and delivered a speech each week directly to Korea to offer comfort and encouragement to the Koreans. The beneficiary now travels throughout the United States lecturing in churches, schools, colleges, and women's and men's clubs on exposing and attacking communism.

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A letter, with attached memorandum, dated November 24, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9491, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

NOVEMBER 24, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9491) for the relief of Induk Pahk, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Newark, N. J., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

As a quota immigrant the alien will be chargeable to the quota of Korea.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM THE IMMIGRATION AND NATURALIZATION SERVICE FILES RE INDUK PAHK, BENEFICIARY OF PRIVATE BILL (H. R. 9491)

Mrs. Induk Pahk, a citizen of South Korea, was born September 24, 1897, in Seoul, Korea. Her last residence abroad was Seoul, Korea. She last entered the United States at Anchorage, Alaska, December 10, 1947, as a temporary visitor for business. She received several extensions of stay, the last of which expired June 5, 1950. Deportation proceedings were instituted. A warrant hearing was held on May 5, 1954, and an order granting her voluntary departure was entered.

Mrs. Pahk made application for adjustment of status under section 4 of the Displaced Persons Act of 1948. On October 6, 1952, the application was denied. Her application for adjustment of status to that of permanent resident under section 245 of the Immigration and Nationality Act was denied.

Mrs. Pahk attended Ewha Women's College, Seoul, Korea. She taught at the Tuk Wha Institute, and in rural areas in Korea. She attended Wesleyan College, Macon, Ga., from 1926 to 1928, and Columbia Teachers College, New York, N. Y. She holds the degrees of bachelor of arts and master of arts. From July 1950 through December 1951 she was employed by the Voice of America on a part-time basis, averaging $135 a month. Aside from this employment, she has spent her time lecturing in this country since December 1947. She derives approximately $2,000 from this activity. Mrs. Induk Pahk is the author of September Monkey, now being published by Harper & Bros., New York.

Mrs. Pahk is a widow and has no one dependent upon her for support. She has no relatives in the United States.

Congressman James C. Davis, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following statement made by the beneficiary of the bill:

My reasons for wanting to obtain permanent residence in the United States of America are as follows:

(1) I have no place in Korea to go to because all my movable property was confiscated as enemy property by the Communists and my house in Seoul and my farms in the Kimpo Airport area were destroyed by bombs and fire in attack and counterattack during the war.

(2) I cannot return to Korea without fear of persecution, because of:

(*a*) My close relationship with America due to my education and activities—I was brought up in a mission school in Seoul; received my degrees in America; and have worked both in Korea and here with the help of my American friends all my life.

(*b*) During the American occupation in South Korea I worked for the American Military Government in the Department of Public Information as a radio lecturer

on democracy and the enlightenment of Korean women. For this service I received special commendation from the late Archer L. Lerch, then Military Governor of Korea.

(*c*) While working as an American military official I was sent to America by Gen. John R. Hodge on a cultural mission (in an unofficial capacity) the first time in 1946, then again in December of 1947. * * * Up to the present I have traveled 282,000 miles making 1,540 speeches in churches, schools, colleges, universities, women's and men's clubs—exposing and attacking communism and Communists.

(*d*) In the midst of my cultural mission tours the Communist war broke out unexpectedly in Korea. Immediately I was asked by the Voice of America of the United States State Department to serve on the psychological warfare program, writing one 13-minute speech a week and delivering it directly to Korea. Each speech was so presented as to offer comfort, inspiration, and encouragement to the Koreans.

Consequently the Communists put my name on their blacklist and it was announced that I should be killed when found.

Under such circumstances, it would be very unwise to expose myself to their revenge. Communist underground activities are everywhere in South Korea, even under the regime of the democratic government. If I should return to Korea I would be returning as a private citizen, and it would be impossible for the Government to give me police protection.

(3) I am an "unofficial goodwill Ambassador" to America from Korea. I tour constantly throughout the States, meeting countless people in all walks of life, informing them of Korean history and culture, explaining the people's problems and their hopes, and making friends and acquaintances who often become supporters of our much-needed projects. I have found that when people have personal contact with a lecturer they are more responsive. When they come to understand a need they are willing to do their share. Hundreds of CARE and relief packages have been sent to Korea by those who have heard me.

On my speaking tours I have secured 20 scholarships from colleges and groups of people for the promising young Korean men and girls. Fifteen students are here already studying in colleges and universities.

To the extent of my knowledge, I am the only Korean woman in the States who travels about, making an average of one speech a day (except during vacation time). This figure covers the 6 years and 6 months of my cultural mission (my last and present trip) as well as the previous three speaking tours.

In between my speaking tours I have written my autobiography, September Monkey, and it is to be published by Harper Bros. in September of this year. Attached is the comment by Harpers in their summer-fall 1954 religious books review.

In addition, the following letters were submitted in support of the bill:

MEDICAL ASSOCIATES OF THE MASSACHUSETTS
MEMORIAL HOSPITALS,
Boston, Mass., May 9, 1955.

Hon. EMANUEL CELLER,
The House of Representatives, Washington 25, D. C.

DEAR SIR: I believe the Judiciary Committee of the House of which you are the chairman is currently considering a private bill introduced by Congressman James C. Davis of Georgia (H. R. 2504) relative to a permanent visa in behalf of Induk Pahk of Korea.

Induk Pahk's contribution on the Voice of America program and subsequently through her book, September Monkey, and her many talks to church and school groups in this country more than justify favorable consideration for this bill particularly since an enforced return to Korea at this time would bring to an end, while still unfinished, a great piece of work dedicated to God and the fight against communism.

I feel sure that if you have not yet done so, your personal investigation into this matter and the work of Induk Pahk will convince you to refer this bill with favorable consideration.

I believe time is short as favorable action to be effective must occur by June.

With best wishes,

Very truly yours,

J. L. WARD.

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HARPER & BROS.,
New York 16, N. Y., May 16, 1955.

Hon. FRANCIS E. WALTER,
House Office Building, Washington, D. C.

DEAR MR. WALTER: I understand that a bill has been docketed, H. R. 2054 which will give Mrs. Induk Pahk a permanent visa for staying in the United States as she may wish. As chairman of the Judiciary Subcommittee No. 1, you will be given the sponsorship of the bill in committee, I understand. I hope you can expedite consideration of the bill.

Mrs. Pahk, in her lecturing in America, is doing much to let people see and understand what positive work can be taken against communism. If the American people better understand the Korean problem through one of its outstanding citizens, they will more intelligently know how to meet the Communist danger. Furthermore, as they contribute to her work to build a "Berea in Korea," they will be helping a very worthwhile cause indeed.

Sincerely yours,

EUGENE EXMAN.

MORRISON, MURPHY, CLAPP & ABRAMS,
Washington, D. C., June 28, 1955.

Hon. FRANCIS E. WALTER,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN WALTER: I will be grateful for anything you can do in behalf of Induk Pahk, the subject of H. R. 2054, now pending before your subcommittee.

This case has been called to our attention by friends in Houston, Tex., who are very fine and reliable people. They know Mrs. Pahk personally and feel very strongly that she is worthy of the relief proposed in this bill.

With best personal regards,

Sincerely yours,

CHARLES S. MURPHY.

GENERAL FEDERATION OF WOMEN'S CLUBS,
Washington, D. C., February 4, 1955.

Mr. FRANCIS E. WALTER,
Joint Committee on Immigration and Nationality Policy,
House of Representatives, Washington, D. C.

MY DEAR MR. WALTER: I take great pleasure in recommending to you Mrs. Induk Pahk, whose bill, H. R. 2054, providing for the granting of a permanent visa, is before your committee.

I have known Mrs. Pahk over a long period of time—6 years or more—and can tell you that, not only is she a fine person, but that she is doing a wonderful piece of work throughout the country in promoting Korean-American understanding and friendship. She has appeared before hundreds of our clubs in all parts of the United States, and our women are very enthusiastic about her and her contribution.

It is my considered judgment that our country would profit greatly by this superior woman's continued presence here.

Respectfully yours,

Mrs. THEODORE S. CHAPMAN, *President.*

NATIONAL WOMAN'S CHRISTIAN TEMPERANCE UNION,
Evanston, Ill., March 2, 1955.

Hon. FRANCIS E. WALTER,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN WALTER: May I respectfully ask your early and favorable attention to H. R. 2054, a bill for the relief of Induk Pahk? May I be informed if there is any service I can perform in behalf of this legislation? It would be possible for me to alert thousands of WCTU women who know Mrs. Pahk for her good works and request them to contact their Congressmen in her behalf, if you feel that such help is needed.

I am sure that the meritorious service which Mrs. Pahk has performed for the United States Government is sufficient recommendation for this legislation but we who are her friends are especially concerned that she not be permitted to return to Korea because her life would be in jeopardy there. The tragic and untimely death of Harriett Underwood, who was stabbed by the Communists in her own home in Korea, is still fresh in the minds of WCTU women who had supplied such quantities of relief materials for the Korean needy at Mrs. Underwood's request and through her as an intermediary.

Respectfully,

Mrs. Glenn G. Hays,
President, National WCTU.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2054) should be enacted.

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Calendar No. 1555

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1532

JULIAN NOWAKOWSKI OR WILLIAM NOWAK (NOVAK)

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2072]

The Committee on the Judiciary, to which was referred the bill (H. R. 2072) for the relief of Julian Nowakowski or William Nowak (Novak), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Julian Nowakowki or William Nowak (Novak). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 45-year-old subject of Poland who was born in the United States, and last entered this country on November 19, 1949, when he was admitted as a United States citizen upon presentation of a United States passport, as an employee of the Foreign Service of the Department of State. The beneficiary was taken to Poland at the age of 11, where he remained until 1935, when he returned to this country. In 1936, he returned to Poland to accept employment with a British concern. Shortly thereafter, the Polish authorities informed him that he could not continue his employment as a visitor, and offered Polish citizenship. Thereafter, the beneficiary applied for, and was acknowledged to be a citizen of Poland, thereby losing his United States citizenship. In 1945, the beneficiary

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registered at the American Embassy in Warsaw as a United States citizen and obtained employment at the Embassy. The beneficiary states that he was contacted by the Polish secret police and under threats of personal harm to his wife, a Polish citizen, and their child, and threats to reveal to the American authorities his true citizenship status, he agreed to work for them. However, he reported his contact to the American Embassy and was instructed to continue contact. After several meetings it was decided by the Embassy that the beneficiary should leave Poland and he departed, leaving his wife and child in Warsaw. In 1950, during the course of negotiations to obtain permission for the beneficiary's wife and child to leave Poland, the Polish authorities raised a question concerning his citizenship. The beneficiary then disclosed the fact of his application for Polish citizenship in 1936. The beneficiary's wife has notified him that she and the child will be granted a passport if they can qualify for admission into this country. As the wife and child of a lawfully resident alien, they will be eligible for a preference in the issuance of visas.

A letter, with attached memorandum, dated July 26, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with rereference to H. R. 8373, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 26, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8373) for the relief of Julian Nowakowski, or William Nowak (Novak), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

As a quota immigrant the beneficiary would be chargeable to the quota of Poland.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JULIAN NOWAKOWSKI, OR WILLIAM NOWAK (NOVAK) BENEFICIARY OF H. R. 8373

Julian Nowakowski, also known as William Nowak (Novak), a subject of Poland, was born in Philadelphia, Pa., on April 22, 1910. He last entered the United States at New York, N. Y., on November 19, 1949. He was admitted as a United States citizen, upon presentation of United States passport No. 3419. He entered the United States as an employee of the Foreign Service Office of the United States Department of State.

When the beneficiary was 11 years old he was taken by his mother to Poland where he remained until March 1935, when he returned to the United States. He returned to Poland in 1936, alone, to accept employment with a British concern. Shortly after his arrival the Polish authorities notified him that he would not be permitted to continue employment in his status as a visitor and offered Polish citizenship as an alternative to departure from that country. He applied for and was acknowledged to be a citizen of Poland. Deportation proceedings have been instituted and he has been found deportable from the United States on the ground that at the time of entry he was not in possession of a valid immigration

visa and a valid official travel document issued by the Government to which he owes allegiance. He has been granted the privilege of departing voluntarily from the United States, but to date has not availed himself of that privilege.

Mr. Nowakowski, a graduate civil engineer, is employed by John Tester & Son, Inc., 1620 Second Street SW., Washington, D. C., as an estimator at a salary of $100 a week plus $15 a week for living expenses, while on construction work in Richmond, Va., where he is working on a 3-year building project. He is married and has a wife and one minor child in Poland, dependent upon him for support. He has no near relatives in the United States.

The Administrator of the Bureau of Inspection, Security and Consular Affairs, submitted the following report dated October 7, 1954, to the Committee on the Judiciary of the House of Representatives relating to the beneficiary:

DEPARTMENT OF STATE,
Washington, October 7, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. REED: Receipt is acknowledged of your letter of July 27, 1954, in which you request any information in the files of the Department concerning Julian Nowakowski, also known as William Nowak (Novak), the beneficiary of private bill H. R. 8373, introduced by Representative O'Konski of Wisconsin.

There is enclosed for the use of the committee a copy of a memorandum setting forth the information concerning Mr. Nowakowski as requested.

Sincerely yours,

SCOTT MCLEOD
Administrator, Bureau of Inspection, Security, and Consular Affairs.

JULIAN NOWAKOWSKI

Julian Nowakowski was born at Philadelphia, Pa., April 22, 1910, of Polish parents and was taken to Poland by his parents in July 1921. He returned to this country with an American passport in March 1935 and remained here until March 1936 and then he again went to Poland. It appears that Mr. Nowakowski was naturalized as a citizen of Poland under article III of the Polish law of January 20, 1920, and article VIII of the Executive order of January 7, 1920, and thereby lost his American citizenship under the provisions of United States laws. Mr. Nowakowski has stated that notwithstanding his acquisition of Polish nationality in 1936 he registered as an American citizen with the Polish authorities after the restoration of the Polish Government at the conclusion of World War II.

Soon after the opening of the American Embassy in Warsaw in 1945, Mr. Nowakowski registered as an American citizen and, in December 1945, he obtained employment at the Embassy. He later applied for an American passport, and the issuing authority, unaware of the true facts concerning Mr. Nowakowski's citizenship, issued the passport. It has been reported that while Mr. Nowakowski was working in the Embassy at Warsaw he was contacted by the Polish secret police.

Mr. Nowakowski has stated to officers of this Department that under a veiled threat of personal harm to his wife, a Polish citizen whom he married in 1946, and their child, and, it now appears, a threatened revelation to the American authorities that he had applied for Polish citizenship in 1936, a fact which he had not disclosed before his arrival in the United States, he was forced by the Polish secret police to sign a statement that he would work for the Polish Intelligence Service against the Embassy.

Mr. Nowakowski reported to the Embassy his contact with the Polish secret police, and was instructed to continue his contact with them. After Mr. Nowakowski had several meetings with the secret police, it was decided by an officer of the Embassy at Warsaw that it would be best for Mr. Nowakowski to leave that city. On September 21, 1949, he left Warsaw, leaving his wife and child there and arrived at New York on November 19, 1949, with an American passport. He was thereafter assigned to duty in a clerical capacity in the Department.

In the spring of 1950, during the course of negotiations to obtain permission for Mrs. Nowakowski and their child to leave Poland, the Polish authorities raised a question concerning Mr. Nowakowski's citizenship. It was only then that Mr. Nowakowski revealed to the United States authorities the fact of his application for Polish citizenship in 1936.

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An investigation of Mr. Nowakowski from the time of his last entry into the United States has failed to reveal anything which would indicate that he has been engaged in activities prejudicial to the interests of the United States.

As the Department has concluded that Mr. Nowakowski is not an American citizen, the question of his status in the United States has become a matter for adjudication by the Immigration and Naturalization Service. In view of Mr. Nowakowski's citizenship, and the policy of the Department not to employ aliens in the United States except under special circumstances with special programs, Mr. Nowakowski's services are no longer being retained.

It is the Department's opinion that if Mr. Nowakowski were deported to Poland his life would be placed in jeopardy, or he would at least be subjected to physical persecution. In the circumstances, it is recommended that some other course of action be taken, and this would seem to be required under the existing law.

Congressman Alvin E. O'Konski, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and recommended enactment of the bill. In addition, Congressman Broyhill submitted to the committee the following letter addressed to him from the employers of the beneficiary of the bill:

JOHN TESTER & SON, INC.,
Clinton, Md., July 1, 1955.

Representative JOEL BROYHILL,
House of Representatives, Washington, D. C.

MY DEAR REPRESENTATIVE BROYHILL: We are American citizens and residents of the State of Virginia, Fairfax County. We are writing this on behalf of Julian Nowakowski, or William Nowak (Novak) an employee of our firm for 3½ years, for whose relief there is a bill pending, H. R. 2072. A copy of the bill is in the possession of the chairman of the committee.

His case is one of equity and passage of the bill before adjournment is vital. This is particularly so because he left Warsaw in 1949 where he was employed in the United States Foreign Service from 1945 to 1949 on every sudden notice given to him by the security officer of the American Embassy. He was told at 10 o'clock in the morning to be on the courier plane at 12 noon, and he was. He returned to the United States with an American passport given him by the Embassy and was readmitted to the United States on November 19, 1949, as a citizen. The bill will adjust his status to admission for permanent residence and thereby permit him again to become an American citizen.

Time is very important because we have been trying for 6 years to get his wife and 6-year-old child out of Poland. The Polish Government has refused them a passport until just now. His wife cabled him on Monday, June 21, 1955, and informed him on the overseas telephone on Tuesday, June 22, 1955, that she can get the passport if he is eligible to apply for a visa for her and child. If the bill will pass before adjournment of this session of Congress, he will be eligible to apply for a visa for both.

Mr. Nowakowski was born in Philadelphia, Pa., on April 22, 1910, of parents of Polish extraction. His mother took him to Poland twice prior to 1935. In 1936 he went to Poland to obtain employment because the depression here in the United States made work scarce. The Polish Government gave him the alternative of leaving the country or obtaining Polish citizenship. He did the latter, and later was inducted into the Polish armed forces. Subsequently he was discharged, but he was mobilized at the outbreak of World War II and served until the surrender of Warsaw.

In 1945 he went to work in the American Embassy in Warsaw as an employee of the United States Foreign Service. He served competently and faithfully, until told by the security officer of the Embassy to leave Poland in 1949, as related above.

I understand that his record is honorable and that there is nothing derogatory against him. This belief is supported from the following excerpts from the official findings of the Immigration and Naturalization Service:

"Confidential information, which cannot be revealed, established that the respondent would be subject to persecution upon return to Poland * * *. The respondent has not been arrested in this or any other country for any criminal offense. He is not favorably disposed toward communism or doctrines of a like nature. * * * The respondent has resided in the United States for an aggregate

period in excess of 5 years. The only blemish on his otherwise good record is the obtention of the United States passport by failure to disclose the true facts concerning the acquisition of Polish citizenship."

The House Judiciary Subcommittee on Immigration has scheduled this bill for consideration on July 11, 1955. Will you please ask the subcommittee to report the bill favorably. If this is done, there is a good possibility that the bill can be passed before adjournment. Again, time is important since the attitude of the Polish Government, although now favorable, can change overnight.

Mr. Nowakowski during the time he has worked with our company has performed all duties assigned to him conscientiously. Furthermore he is trained in a profession in which there is a recognized shortage of men in the United States.

Your support is earnestly requested. We thank you deeply for whatever you can do.

Respectfully,

Mrs. Sara Keahey.
Mr. Joseph F. LeMoine.
Mr. William B. Senkewitz.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2072) should be enacted.

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Calendar No. 1556

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1533

WILHELMUS MARIUS VAN DER VEUR

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2283]

The Committee on the Judiciary, to which was referred the bill (H. R. 2283) for the relief of Wilhelmus Marius Van Der Veur, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Wilhelmus Marius Van Der Veur. The bill provides for a visa deduction under section 4 (a) (9) of the Refugee Relief Act, as amended, and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 47-year-old native and citizen of the Netherlands who last entered the United States on November 19, 1953, as a visitor for business. His last residence abroad was Tokyo, Japan. The beneficiary was educated in the Netherlands and has spent many years in the Netherlands East Indies. During the war, the beneficiary rendered invaluable assistance to the United States forces in the Pacific area and to the United Nations military observer group in Java in 1947–48. In 1945, he was awarded the Bronze Star Medal for his services. The beneficiary is presently a guest at the home of Colonel Myers, his former commanding officer. If permitted

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to remain in this country, the beneficiary hopes to obtain employment with a firm where his knowledge of the Far East can be utilized.

A letter, with attached memorandum, dated October 4, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9758, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

OCTOBER 4, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9758) for the relief of Wilhelmus Marius Van Der Veur, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Memphis, Tenn., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

As a quota immigrant the beneficiary would be chargeable to the quota for the Netherlands.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE WILHELMUS MARIUS VAN DER VEUR, BENEFICIARY OF H. R. 9758

The beneficiary, Wilhelmus Marius Van Der Veur is a native and citizen of the Netherlands. He was born at The Hague, the Netherlands, on August 7, 1907. His last residence abroad was in Tokyo, Japan. He entered the United States at San Francisco, Calif., on November 19, 1953. He was admitted as a visitor for business to February 19, 1954. This is his only entry. He received an extension of stay to June 19, 1954. He made application for adjustment of status as a permanent resident under section 245 of the Immigration and Nationality Act on March 16, 1954. This application was denied by the District Director of this Service at Miami on June 3, 1954, on the ground that a quota visa was not available at the time he filed his application. That decision was appealed. The District Director's decision was affirmed by the Assistant Commissioner, Inspections and Examinations Division on July 2, 1954. Mr. Van Der Veur was advised that his appeal had been denied and was granted to September 20, 1954, in which to effect his departure from the United States voluntarily in lieu of deportation.

The beneficiary was educated in the Netherlands and spent many years in the Netherlands, East Indies. He rendered invaluable assistance to the United States forces during the war in the Pacific area and to the United Nations military observer group in Java in 1947–48.

The beneficiary is presently unemployed. He lists assets as $750. He is presently residing at Cave Springs, Ark., as a guest on the farm of Col. Collin Stafford Myers.

Mr. Van Der Veur is not married, having just completed divorce proceedings from his second wife who is a resident of Australia. His only relative in the United States is a brother, Paul Van Der Veur, residing in Ithaca, N. Y.

Congressman Brooks Hayes, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following letter signed by the beneficiary of the bill:

APPEAL

LITTLE ROCK, ARK., *June 18, 1954.*

The ASSISTANT COMMISSIONER,
Inspections and Examinations Division,
Washington, D. C.

Appellant, Wilhelmus Marius van der Veur, born at The Hague, the Netherlands, August 7, 1907, alien registration receipt card No. V.394 685, now residing in care of Col. Collin S. Myers, Chief, Arkansas Military District, Little Rock, Ark., after being denied status as a permanent resident under section 245 of the Immigration and Nationality Act on grounds that quota visa was not available at the time he filed his application, would like to use the offered opportunity to inform the Assistant Commissioner, Inspections and Examinations Division, of the following facts:

1. For the last 8 years appellant has had the intense desire to come to the United States of America in order to become a naturalized American citizen. Some facts which are the fundamental basis for this desire are given in the following paragraphs.

2. On December 5, 1919, when he was 12 years of age, his parents who lived in the Netherlands East Indies, sent him to a conservative boys school at The Hague, the Netherlands. This was regarded necessary for his education. Treatment at this school was such that, after several months marks of beatings and loss of weight as a result of denial of food (as a punishment), it attracted the attention of his grandfather. Result: Appellant traveled back to the Netherlands East Indies and joined his parents at Medan, Netherlands East Indies. That was in September 1920.

3. When, a few months later, it became apparent that no high school would be established in this city, appellant was again sent to the Netherlands (March 1921). This time he was put in a boys school at Utrecht, the Netherlands. A childless couple, uncle and aunt of appellant, were appointed guardians. The old methods of education and suppression ruled in this school too (locked up in a dark classroom during the night). The guardians agreed with these methods.

4. In September 1922, he entered high school, boarded for 2 years with a doctor's family, 1 year with a minister's family, 2 years with his guardians. The 5 years at school were happy, out of school it was dark, unkind, dominated by the actions, thoughts, demands and orders from the guardians, who, in good faith, read appellant's diaries, opened letters, and seemed to maintain a continuous espionage system to keep informed about all his actions. They even tried to interfere with the friendship between appellant and his wise and dignified grandfather Van der Veur, a man who was respected to the utmost by everybody who knew him. This man, it must be said, was the one who shaped the character of appellant.

5. August 1927 until October 1927 appellant spent with his parents in the Netherlands East Indies. It was then decided that he would enter the University of Utrecht, the Netherlands, to become a medical doctor. Although appellant requested his father repeatedly to deal with him directly and not any more via the guardians, the old system was maintained. This forced relationship with the guardians was, in February 1929, the immediate reason for appelaint's decision to give up his study. He left the city of Utrecht and became a bank clerk in Amsterdam, the Netherlands. This action shook off the guardians and all those who wanted to force appellant's thoughts and ideas into their own direction, instead of giving him the opportunity to form and mature his own.

6. His wish to return to the Netherlands East Indies, where thinking was, generally speaking, freer, where it was less crowded, where a man could easier be in own, came true in February 1930. Good employment followed, and when the deepest part of the depression hit those islands 2 years later he was the owner of a small bank account.

7. In August 1932, conditions in his field (sugar) grew worse, his engagement with the company was broken. To find a new position, he traveled back to the Netherlands where the head offices of most fo the companies in the Netherlands East Indies were located. No opportunities came forth and appellant lost his savings.

8. From September 1932 until December 1935, appellant remained in the Netherlands. The Government did little or nothing to help those without work, many young men went under. Appellant was more lucky; he held various temporary jobs, and studied at night school with some financial aid of his father.

9. In December 1935, opportunity knocked again. Appellant accepted a position in a rubber-growing company in the Netherlands East Indies. Two years

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later that company made him an executive at their head office at Sourabaya, Java, Netherlands East Indies. Again he had a bank account and in addition to that a good rented home, a library, a motorcar. He was married to a good, but typical Dutch woman, and they had two children. Then came World War II.

10. In January 1942 he was drafted as a sailor in the Netherlands Navy and put to work in the office of the Chief of Staff, Naval Base, Sourabaya, Netherlands East Indies. Through this position he came into contact with officers of American naval units which had left Manila after the enemy had taken that city. For the first time, appellant met more than sporadic views which ran parallel with his own: the treatment and care of those who work for and with us; to be kind, friendly, and helpful toward each other, etc. Looking back, this was a turning point. Determined to avoid capture by the enemy, he volunteered to leave Java as a passenger on a small Dutch submarine. This action brought him his commission. When he departed and looked at the burning buildings at the waterfront, he was aware of the fact that once more he had lost everything he had and was starting a new life.

11. As a communication officer at headquarters for the Dutch forces in the east at Colombo, Ceylon, he was in a position to follow closely the buildup of the American forces in Australia. When he learned about their intelligence operations in the Netherlands East Indies, he managed to get transferred to Melbourne, Australia. This happened in August 1942. For 1 year he worked as a planning officer in an Allied intelligence unit which operated under American General Headquarters. In May 1943 he was made supply officer, which brought him in intimate contact with the Americans.

12. In the course of 1943 the American Government, desperately in need of rubber, requested the Netherlands East Indies Government to cooperate in the study to obtain rubber from their Japanese-occupied islands by means of submarines. Appellant, who got interested in this matter after he learned about it, discussed various points with the American officer in charge of this project and voluntarily worked out some plans. The result was that after a few months his transfer to this Rubber Commission was officially requested by the Americans Appellant was not transferred. Instead, he was introduced to the methods of higher diplomacy which his Government used against the United States of America.

13. In February 1944, upon request of American General Headquarters, appellant was appointed commandant of the then still-to-be-established Allied Supply and Radio-Monitoring Base at Merauke, Netherlands New Guinea. During the construction of the base, and during the time of its operation, certain Allies tried to interfere continuously, through high-ranking officers, with policies set by American General Headquarters. Since the camp worked directly under those headquarters, appellant naturally opposed such moves which often caused him serious difficulties as a Netherlands officer. What was achieved by appellant in saving of materials, improvement of communications to American Headquarters in the field (Finchhafen, British New Guinea) and most important of all, in a diplomatic way, to keep the Allies from muddling up the American war effort in this particular intelligence field, can better be left to the judgment of the Controller of the Allied Intelligence Bureau, Col. Collin S. Myers, now Chief, Arkansas Military District.

14. From January 1945 until November 1945 appellant was the supply officer of the Netherlands East Indies Section of the Allied Intelligence Bureau, United States General Headquarters. Although he never made many friends through his strict actions to keep a check on the American supplies, he gained the friendship of his immediate Dutch chief (Lt. Col. Sinon H. Spoor, who 1 year later was to become the commander in chief of the Royal Netherlands Indonesian Army in the Netherlands East Indies). He is proud to state that the United States Government recognized his efforts and rewarded him with the Bronze Star Medal.

15. October 1945: The Supreme War Command had changed the original plans of an occupation of the Netherlands East Indies by the American forces, and the British sent a token force to the major islands of the Dutch East Indies to take over from the enemy The token force and its power were so weak that they invited the revolution of the natives against the whites. In the same month the Netherlands East Indies Intelligence Section left Australia by ship, each male member armed with American weapons. Further, they had an impressive quantity of arms and ammunition for volunteers who joined this section upon its arrival in the Netherlands East Indies. This was entirely the work of appellant, who realized that the only way left to convince the Government in the Netherlands that theNetherlands East Indies should remain in the sphere of influence of the United States of America, was an easy flow of American-made war and

other supplies to those territories. With this the Chief of his Intelligence Section agreed. Appellant remained in Australia to keep the supplies flowing, and while the Netherlands Indonesian Army in the Netherlands East Indies grew and was reestablished, American supplies found their way to the Quartermaster of this Army through the Intelligence Supply Organization. In January 1946, however, the Netherlands Government in Hague, still trying to support the old style colonial Dutch in the Indies, upset the pro-American plans of democratic and enlightened Dutch in Indonesia by sending a Netherlands Division, British equipped to the Netherlands East Indies. The almost independent actions of the Intelligence Section had, in spite of everything, drawn enough attention in the mother country, and as a result its chief was appointed commander in chief of the Netherlands Indonesian Army

16. Appellant returned to the Netherlands East Indies, still in the position of Chief Supply Officer of the Intelligence Forces, and in addition as a liaison between his commander in chief and American General Headquarters in Tokyo, Japan. The Netherlands Government, more than ever under pressure from London, forced pro-American high officials in the Netherlands East Indies to refrain more and more from private contact with American officials. In a period of 18 months, appellant's commander in chief received 3 invitations to visit American General Headquarters at Tokyo, Japan. Each time he had to turn these invitations down because of lack of time. This only to testify that appellant's information reports to Tokyo had to remain completely secret on the Netherlands side. Appellant risked his career each time a report was composed and forwarded. He was determined to help and aid the Americans as much as he could, whether from a distance or nearby, when they traveled through the Netherlands East Indies. At one time he sent a secret message to General Headquarters, Tokyo, for his commander in chief, for which the Chief of the Postal and Telegraph Service had to be approached without knowing on which side this officer stood. All their reports and messages came on the desk of the Deputy and Executive Officer of the Intelligence Section of American General Headquarters, then Col. C. S. Myers, who can evaluate appellant's work.

17. In September 1947 United Nations sent a Commission of Good Offices to the war-torn islands of the Netherlands East Indies, to try to bring the Dutch and the Indonesians together in a truce. The Dutch were not in favor of this Commission: "America should mind its own affairs." When the military observers group to this Commission arrived at Batavia, Netherlands East Indies, the Government had in a very ostentative way arranged nothing for them, no transportation, no accommodations, no supplies. Appellant was disgusted and, since he had been privately informed by the leader of the group of the date of their arrival, he arranged everything independently and in such a way that the Palance (equivalent to the White House) was forced to continue the hospitable attitude. From there on, appellant was as a junior-ranking officer in open clash with various military and civilian leaders of his own country. He got into conflict with his own relatives; it even went so far that 2 years later a Netherlands Ambassador called him openly "a traitor." Appellant never gave up. One fact: At a certain occasion, when one of the Indonesian field commanders was not willing to recognize the agreement signed by the Dutch and the Indonesians on board the United States ship *Renville* (January 1948), the leader of the military observers group called upon appellant to come with him to the conference table in a territory between the fighting forces in order to bring the Dutch and Indonesian commanders to reason. Appellant was, if necessary, to act as the interpreter. Unofficially appellant's commander in chief agreed, and appellant walked with a small United Nations team through inmans land into enemy territory, dressed in Dutch uniform without the protective white armband on, for what he regarded to be his duty toward the American ideal in the fight for freedom. Freedom for those people who had worked for him since he came to the Indies in 1910, freedom for a country that he loved, and sincerely proud that America was taking it up for them. Col. C. S. Myers, the chairman at that conference knows how appellant interpreted the chairman's address, thereby almost forcing the Dutch to accept the particular Indonesian terms and even to step in with materials to make easy communication between the two territories.

18. The commander in chief who knew about appellant's basic hopes to immigrate to the United States of America and who also realized that the day would come that appellant, as a draftee, would have to leave the Army, had revealed that he himself was working on an assignment as Netherlands Ambassador at Washington, D. C. Appellant would become his military attaché, and in that way establish his contacts in America which would aid him in finding a civilian position. Appellant accepted. It was a 3- or 4-year plan and in order to train

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him for the position, and at the same time have a liaison officer between the Dutch and American Armies, it was planned to transfer him to the Netherlands Embassy at Tokyo, Japan. He left the Navy and was appointed a major in the Netherlands Indonesian Army.

19. In September 1948 he arrived at Tokyo, Japan. This had consequences: his war savings, in a bank in Java, could not he transferred. Four years' savings made a nice amount, there had been many special operational submarine trips and plane flights for which appellant had received the special war-zone-action premium. The first month at Tokyo he had to live on borrowed money, and from there on the buildup of personal possessions started out once more. This time he earned dollars, so urgently needed for the trip to America and his start there. Because of his position at the Embassy he was able to give American Headquarters most of the information they wanted. Again he met numerous obstacles, chiefs who disagreed with his pro-American views, warnings that he would be sent back to the Netherlands, etc. Suspicion, jealousy, domineering attitude, rudeness, fear, and small ways of thinking, followed appellant from the days he went to boys school in 1920 until the days he was at this Netherlands Embassy. Only, by now he used those weaknesses of his countrymen to his own advantage. He could not have any feeling of respect for them except in particular cases.

20. In 1949 applicant experienced two facts: First, his commander in chief passed away; second, Indonesia became an independent nation and his war savings were confiscated. That is to say, his money lost two-thirds of its original value, further the balance could only be spent in Indonesia. The country, from that moment on, was closed for appellant. He had worn the Dutch uniform in the Netherlands Intelligence Service. Result: He was (is) on the black list.

21. The death of his loyal friend and general included the death of appellant's plans to become attached to the Embassy at Washington, D. C. His Embassy was not willing to let him know when he could be released from the service, making advanced planning impossible. In 1950, appellant was instructed by his Ambassador not to file any requests for immigration to the United States of America as long as he was in uniform.

22. When October 1951 came, appellant received a message that he could leave the service of the Embassy and the army at the end of that year. Had he focused more on his own future instead of deactivating his large quartermaster section in such a way that every item issued through the years was accounted for, to get his six petty officers in proper jobs with reliable companies in Japan, appellant could probably have saved himself a lot of trouble. Further, he was not quite prepared. During 3 years he had earned and saved, the Embassy had forced him to buy an automobile of his own, for necessary entertainment he had been given a large residence, too big for a man on his own. As a draftee, even after 10 years of service, he was not entitled to a demobilization bonus. The only way out would be to use the contacts in Tokyo, Japan, until such a time that there would be enough money to make the trip to America and to look around for a position.

23. Early 1952 he started a service company which took a large part of his dollar savings for unavoidable necessities. Sixteen foreign Embassies, including the Netherlands Embassy, promised orders. Business went fairly well, and looking ahead to the time that his immigration visa would be issued, he filed his official request for this visa at the United States Embassy at Tokyo, Japan, in October 1952.

24. Matters took a turn, however. New restrictions imposed by the Japanese Government fulfilled orders but no payment from certain Embassies which were waiting for the new budget year, a large order which was retracted when 20 percent of the initial work had already been done. In no time the company went into the red and appellant's savings started to disappear fast. In April 1953 when the episode seemed darkest, he received $950 from a retirement policy, given up by his prewar employers.

25. That was the moment. The United States Embassy could not give any idea when an immigration visa could be issued; return to Holland, where appellant had not been for 18 years, was out of the question, waiting in Japan impossible with the living cost of $150 per month. Appellant requested the United States Embassy to cancel his application for an immigration visa, and requested a visitor's visa. With a mortgage on his automobile he could pay for the trip, for his return ticket, which was required, leaving him just enough to live several months in America while looking around for business opportunities for his crumbling company and/or a possible solution for himself. It was September 1953

when the visa was issued. Appellant left for San Francisco, Calif., early in November.

26. The reception was wonderful, although everybody appellant met was a stranger. The American chambers of commerce in San Francisco, Calif., Los Angeles, Calif., Dallas, Tex., Houston, Tex., Akron, Ohio, gave him their full support with valuable introductions to the highest business executives. Appellant's company at Tokyo, Japan, could, because of import restrictions, not attract enough American interest and had to be closed in February 1954. Appellant, however, had in the meantime several opportunities for a position, but could not accept those because of his status.

27. During the 46 years of life appellant lived at 57 different permanent addresses. Four times he lost everything he had completely. Although a citizen of The Netherlands he spent 174 months in that country, and then mostly for study only. The Netherlands East Indies where he played as a small boy with the little brown children of the servants of his parents, where, later, he held positions, and where he ultimately fought for its independence had 255 months of his life. But that country is closed to him. The 100 months in Australia estranged him from his Dutch wife, 62 months in Japan estranged him from his Australian spouse. He has been tossed from one place to the other. Sometimes it was fate, most of the time it was nothing else but his call for duty: The desire to have a position and to make good, not only for himself but for reasons on a far higher level.

28. Almost 20 years of Far Eastern experience, knowledge of the European character, and that of the Dutch in particular, appellant regards as valuable for any American employer who engages appellant. Letter from International B. F. Goodrich Co., dated January 13, 1953 (copy enclosed), also supports this idea.

Appellant thanks everybody who has studied this appeal, in particular the Assistant Commissioner. He has tried to give a simple account of the facts that caused him to be in America today. The Assistant Commissioner is requested to lead matters into such a direction that appellant can stay in this country, accept a position, and from there on give all the best he possesses to the United States of America, ultimately as a naturalized American citizen.

WILHELMUS M. VAN DER VEUR.

In addition, Congressman Hayes submitted the following letters of recommendation in behalf of the beneficiary:

GENERAL HEADQUARTERS,
UNITED STATES ARMY FORCES, PACIFIC,
MILITARY INTELLIGENCE SECTION, GENERAL STAFF,
February 21, 1946.

Subject: Letter of Commendation.
To: Whom It May Concern.

1. Lt. Comdr. William M. Van der Veur, Royal Netherlands Navy has worked in the Allied Intelligence Bureau, GHQ, Southwest Pacific Area Command, from its beginning on July 2, 1943, until its dissolution on December 30, 1945.

2. During this entire period I have known him personally. He has served in several capacities, all of them with efficiency and tact: in the Planning Section of NEFIS III (Netherlands Forces Intelligence Service), in field operations with parties and acting as Allied Intelligence Bureau supply officer in the combat areas and finally, in taking over the complex and difficult task of supply officer for NEFIS III. He has rendered exceptionally meritorious service in the performance of his duties as supply officer for NEFIS III of AIB and has been recommended for the Bonze Star Medal. I have found him to be conscientious, energetic, possessing initiative and always willing and anxious to carry out instructions and policies of higher authorities. In addition to the above he has been charged with finances of NEFIS III section and has succeeded in keeping proper records and accounting for all the finances and stores used by NEFIS III section in the combat areas. He has gained the admiration and respect of his superiors and subordinates, both Dutch and other Allied Powers.

3. I have had an opportunity as Deputy Controller of the Allied Intelligence Bureau to observe this officer carefully in the performance of his duties and would unhesitatingly recommend him to anybody desirous of the services of an officer of his qualifications.

C. S. MYERS,
Colonel, Infantry,
Controller, Allied Intelligence Bureau.

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GENERAL HEADQUARTERS,
FAR EAST COMMAND,
MILITARY INTELLIGENCE SECTION, GENERAL STAFF,
November 8, 1949.

Subject: Maj. Wm. M. van der Veur.
To: A. C. of S., G–2 (personal).

1. At a time when the peace-loving nations of the world are rejoicing in the electrifying announcement that after long and bitter effort, the Governments of the Netherlands and the Indonesian Republic have reached full and complete accord on the recognition of the Republic as a sovereign power under the Dutch Crown, it may be appropriate to call attention to some of those whose outstanding efforts beyond the call of duty contributed in a vital way toward the compelling achievement just announced.

2. Accordingly, in the hope that my intentions will not be misconstrued or my action thought presumptuous, I seek to speak in behalf of William M. van der Veur, major, Royal Netherlands Indonesian Army, presently assigned as quartermaster to the Netherlands mission in Japan, in the hope that, as result, there might eventuate some appropriate recognition of the vital manner in which he assisted the American military advisory group sent to Java in September 1947.

3. Major van der Veur, then a lieutenant in the Netherlands naval forces, was stationed in Batavia as head of Section 10 of the Netherlands Intelligence Service there. He was previously and very favorably known to Col. Collin S. Myers, executive officer of G–2, GHQ, FEC, on special assignment to Java to head the original American military observer team. Similarly, he was known to me, as he had served as head of the Dutch section of Allied Intelligence Bureau during the war. It will he recalled that Colonel Myers and myself were assigned in controlling capacities in the Bureau.

4. Upon arrival of Colonel Myers' observer unit in Batavia, October 1, 1947, confusion and misunderstandings placed the American group in an embarrassing position. Lieutenant van der Veur immediately volunteered his services and, through him, the situation was resolved promptly and efficiently. It was obvious, however, that such situations would recur and it was considered that the position of the American group would be prejudiced in an international picture fraught with tensions, jealousies, and, in the case of the Dutch and Indonesians, open armed strife. Colonel Myers appealed to Lieutenant van der Veur for his full-time assistance. The decision was a difficult one for the Dutch officer. Feelings were running high. In some quarters, both high and low, the sentiment was expressed that the foreign observer groups were meddling in sovereign affairs actually outside their jurisdiction, and anti-American cliques were vociferous. Nevertheless, this officer remained true to his expressed pro-American convictions, and risking his whole professional career, officially requested his assignment to the Myers mission. He enjoyed the full confidence of the Dutch commander in chief, the late Lt. Gen. S. Spoor, and his request was granted.

5. From that moment forward, Lieutenant van de Veur was of invaluable assistance to Colonel Myers and to the other members of his mission in the execution of an extremely complex assignment based on directives from GHQ and from the United Nations Good Offices Committee which arrived in November 1947, to try to bring the disputants together. Frequently, at the risk of incurring the displeasure, and even hostility of his brother officers, and highly placed political leaders whose displeasure could have been ruinous to him, he assisted Colonel Myers at the most critical times to put through policies and actions Colonel Myers considered vital to the resolution of the bitter situation in Indonesia. It is safe to state that on more than one occasion, the devotion, unquestioning loyalty, the unremitting effort, and the invaluable contacts and the tremendous energy Lieutenant van der Veur accorded were instrumental in bringing about the outstanding record Colonel Myers achieved in the 7 critical months of his service there. At one time, when the whole program of implementing the demilitarization provisions of the Renville Agreement which subsequently were written so prominently into the final settlement, Lieutenant van der Veur fearlessly placed himself at Colonel Myers' side between hostile forces and brought them into truce conference. He subsequently answered criticism by declaring himself convinced of the soundness and fairness of the American efforts, stating he would work for their realization regardless of the effects on his career.

6. Accordingly, for these and other reasons less tangible, but just as real and important in matters where moral support and loyalty are vital factors, it is respectfully suggested that steps be taken whereby Major van der Veur's splendid

contributions to American prestige in Asia and to her position as peacemaker in a troubled world may receive appropriate recognition from our Government.

ALLISON W. IND,
O–304920 Lieutenant Colonel GSC.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2283) should be enacted.

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Calendar No. 1557

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1534

MARIE LIM TSIEN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2285]

The Committee on the Judiciary, to which eas referred the bill (H. R. 2285) for the relief of Marie Lim Tsien, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Marie Lim Tsien. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 28-year-old native of the Philippine Islands and citizen of China, of the Chinese race, who last entered the United States on July 27, 1951, as a visitor. She first entered this country, accompanied by her husband, on November 1, 1946, as a visitor. In 1949, they departed. On November 21, 1948, a child was born to the beneficiary, who is a citizen of this country. The beneficiary and her husband are now separated. The beneficiary is employed as a free-lance actress by several motion-picture studios and television concerns in Los Angeles and appears to have the prospect of steady and remunerative employment in this field. Her son resides with her parents in Shanghai, and if permitted to remain in this country, the beneficiary plans to make a home for him in this country.

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A letter, with attached memorandum, dated June 10, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., June 10, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 2285) for the relief of Marie Lim Tsien, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Chinese persons.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARIE LIM TSIEN, BENEFICIARY OF H. R. 2285

The beneficiary, Marie Lim Tsien, nee Marie Lim Pi-Yao, is a citizen of China and is of the Chinese race. She was born in Manila, Philippine Islands, on February 4, 1927. She is married, but is separated from her husband, Ernest J. Tsien, who is a citizen of China and who is presently residing in Vancouver, British Columbia, Canada. By this marriage she has a son, Lawrence Tsien, who was born in New York, N. Y., on November 21, 1948, and who is now living in Shanghai, China, with her parents. She resides at 938 North Doheny Drive, Los Angeles, Calif.

Mrs. Tsien is employed as a free-lance actress by several motion-picture studios and television concerns in Los Angeles. Her average monthly income amounts to $300, but she now has a 10-week contract with MGM Studios, Hollywood, Calif., during which period she will receive $250 per week. She has stated that while a resident of New York, N. Y., she was employed on a part-time basis by the Voice of America and did volunteer work for the United Nations in New York. Her assets consist of personal effects valued at $5,000 and $3,500 in savings. She has no one dependent upon her for support as her son is supported by her parents. While in China she attended elementary and high school, and entered the University of Shanghai for 1 year. During 1947 and 1948 she attended the University of California at Berkeley and at San Francisco, and Columbia University in New York, her attendance at each university being for only one semester. She has no relatives in the United States. Her parents, 2 brothers and a sister reside in Shanghai, China; and she has 1 brother living in Manila, Philippine Islands.

The beneficiary and her husband first entered the United States at Honolulu, T. H., on November 1, 1946, at which time they were admitted as temporary visitors for a period of 1 year. Deportation proceedings were instituted in their cases on June 10, 1949, because of their failure to depart from the United States at the expiration of their temporary stay. They departed from the United States prior to the completion of the proceedings.

Mrs. Tsien last entered the United States at San Francisco, Calif., on June 19, 1951, at which time she was admitted as a temporary visitor until July 27, 1951. She was granted one extension of temporary stay, which expired on October 29, 1951. Private legislation introduced in her behalf in the 82d and 83d Congresses failed to receive favorable consideration. Deportation proceedings were instituted in her case on April 22, 1955, charging that, after admission as a temporary visitor, she failed to comply with the conditions of such status. Her hearing under deportation proceedings is scheduled for May 16, 1955.

Congressman Richard W. Hoffman, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 28, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR COLLEAGUE: On January 13, 1955, I introduced H. R. 2285, the purpose of which was to grant permanent residence to Mrs. Marie Lim Tsien.

I originally introduced legislation in behalf of Mrs. Tsien in the 82d Congress and the bill was reintroduced in the 83d Congress but no action has yet been taken by the Judiciary Committee. It is my hope that it will be possible for the committee to act upon this bill during the present session of the House.

There are some aspects of this bill which I believe should be clarified for the committee. First, on December 11, 1953, the Acting Commissioner of the Immigration and Naturalization Service forwarded to the then chairman of the Judiciary Committee a memorandum of information concerning Mrs. Tsien. This memorandum stated that Mrs. Tsien had taken employment in this country in violation of the terms of her admission and that she had claimed two dependents for income-tax purposes, although by her own statement she was not able to support her son. This memorandum is completely in error on the first point and creates an erroneous impression concerning the second point.

On October 9, 1952, I was advised in a letter from Mr. Edward J. Shaughnessy, district director, New York District of Immigration and Naturalization Service that under date of September 29, 1952, Mrs. Tsien had been granted permission to accept employment. I have never been advised that this permission had been rescinded and it is my impression that it is still in effect.

As to the tax problem, when Mrs. Tsien first started to work, being completely unacquainted with the laws of this country, she claimed her son as a dependent on her withholding authorization. She was soon advised that she could not do this, not because she was not contributing to the support of her son but because her son was not a resident of this country. She has not since that date claimed him as a dependent nor has she claimed any deduction for moneys which she has been able to contribute to his support.

During the 83d Congress it was suggested that private legislation in behalf of Mrs. Tsien was not appropriate, since she had available administrative relief under section 6 of the Refugee Relief Act of 1953. Mrs. Tsien thereupon filed an application for an adjustment of status under section 6 of this act. Her application was denied since she was born in the Philippines and could not establish that she would be subject to persecution should she return to the country of her birth.

This is, I believe, a correct interpretation of the law by the Immigration and Naturalization Service. However, although born in Manila, Mrs. Tsien is not a citizen of the Philippines, since under the law of that country, both of her parents being Chinese, she is a citizen of China. She is, therefore, unable to return to the Philippines, but this does not entitle her to relief under section 6 because she is not prevented from returning by fear of persecution.

This is, I believe, a situation in which the extraordinary relief of special legislation is peculiarly appropriate. Should this relief be denied, and the alien be deported, she would be returned to China where she fears persecution for her political beliefs. While the specific language of section 6, apparently not contemplating the existence of citizenship laws such as that of the Philippines, does not afford Mrs. Tsien relief, this is a case in which relief would appear to be within the congressional intent.

Should there be any further information which the committee desires in connection with this bill, I will be most happy to procure it and to submit it to the committee. I hope that it will be possible for the subcommittee to docket this bill for prompt consideration and that the committee will be able to report the bill favorably in the very near future. Your good offices and advice in connection with this matter will be appreciated.

With kindest regards,
Sincerely yours,

RICHARD W. HOFFMAN, M. C.

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 7, 1955.

Hon. FRANCIS E. WALTER,
Chairman, Subcommittee No. 1,
Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR COLLEAGUE: Thank you for advising me that H. R. 2285 has been scheduled for hearing on Monday, June 13, 1955.

This measure would grant permanent residence to Mrs. Marie Lim Tsien, who last entered the United States on June 19, 1951, under section 3 (2) of the Immigration Act of 1924. Mrs. Tsien was born in Manila in the Philippines on February 4, 1928, of Chinese parents and is, therefore, a Chinese citizen. She was never naturalized in the Philippines and for that reason has no right to return to that country.

In June of 1946, she married Ernest Tsien, a native of China, from whom she has been separated since 1951. Their son, Lawrence Tsien, was born in New York on November 21, 1948, but now lives with Mrs. Tsien's parents in Shanghai. Mrs. Tsien is particularly anxious to be granted permanent residence in this country so that she may have a home to which to bring her son and in which he can be raised as an American citizen. The boy will be 7 years of age on November 21 of this year.

Mrs. Tsien is currently employed at the 20th Century Fox studio and is under contract to Mr. Buddy Adler of that studio. She appears to have the prospect of steady and remunerative employment in the making of television and movie films.

Should Mrs. Tsien be forced to leave this country, the only home to which she could go is with her parents in Shanghai. Should she return to that country, she faces persecution by the Communist Chinese. In 1954 she applied for adjustment of status under section 6 of the Refugee Relief Act of 1953. She was found to be ineligible for the relief due to her birth in the Philippines, although, as I have pointed out above, she is not a citizen of the Philippines and is ineligible to return there.

I strongly believe that this is a case in which the extraordinary relief of private legislation is particularly appropriate.

With kindest regards,

Sincerely yours,

RICHARD W. HOFFMAN, M. C.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2285) should be enacted.

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Calendar No. 1558

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1535

JEAN HENRI BUCHET

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2345]

The Committee on the Judiciary, to which was referred the bill (H. R. 2345) for the relief of Jean Henri Buchet, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jean Henri Buchet. The bill does not provide for the payment of the required visa fee or the deduction of a quota number inasmuch as the beneficiary paid the visa fee and was charged to the appropriate quota at the time of his admission for permanent residence in 1947.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native and citizen of France, who last entered the United States in 1950, as a returning resident. He first entered this country in 1946, as a visitor. He was subsequently granted voluntary departure and preexamination and was readmitted for permanent residence on December 1, 1947. Deportation proceedings were instituted in 1953, and he was ordered deported from the United States on the ground the reentry permit which he presented in 1950, was not valid because it was procured by fraud or misrepresentation. The beneficiary is the son of a French Army officer and up to 1944, resided in various French colonial possessions. He served from 1942 to 1943 in the French Army. In May 1945, he was denounced as a German collaborator and im-

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prisoned. He was later released and on the advice of his attorney, fled France, by using the passport of a friend. In 1947, he was condemned to death in absentia. In 1950, the beneficiary returned to France to stand trial and was completely exonerated. On November 13, 1946, the beneficiary was married to a United States citizen and they now have three children, all of whom are citizens of this country. The beneficiary is employed as a technical secretary with a chemical firm in New York City.

A letter, with attached memorandum, dated June 24, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 8219, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

JUNE 24, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8219) for the relief of Jean Henri Buchet, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota. It appears that the bill is intended to grant the alien permanent residence in the United States notwithstanding the fact that he has been found subject to deportation under section 241 (a) (1) of the Immigration and Nationality Act on the ground that he was excludable at entry in that his reentry permit had been procured by fraud.

It should be noted that the alien was charged to the appropriate quota upon his entry into the United States as an immigrant on December 1, 1947, when he paid the required visa fee. It is accordingly suggested that the committee may wish to amend the bill by deleting the portion which makes reference to those requirements.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JEAN HENRI BUCHET, BENEFICIARY OF H. R. 8219

Jean Henri Buchet, also known as Adrien Antoine Pache, was born on October 8, 1922, at De Nevers, France, and is a French citizen. He first arrived in the United States as a visitor at Baltimore, Md., on May 22, 1946. He was subsequently granted the privilege of preexamination and voluntary departure, and thereafter entered the United States at Rouses Point, N. Y., on December 1, 1947, as an immigrant. He last entered the United States at the port of New York on June 21, 1950, as a returning resident. All entries were effected under the assumed identity of Adrien Antoine Pache. On November 10, 1953, deportation proceedings were instituted against him. After hearing on March 12, 1954, he was ordered deported from the United States on the ground that the reentry permit which he presented on June 21, 1950, was not valid because it was procured by fraud or misrepresentation. The additional charge that he was deportable by reason of his having admitted the commission of the crime of perjury prior to his entry was not sustained.

The beneficiary has testified that he is the son of a French Army officer and resided up to 1944 for the most part in various French colonial possessions. He served from 1942 to 1943 in the French Army. In May 1945 he was denounced as a German collaborator and imprisoned. He was subsequently released and upon the advice of his attorney fled France. This was accomplished by assuming the identity and using the passport of a friend, Adrien Antoine Pache. In 1947 on a charge of collaborating with the enemy a French court condemned him to death in absentia. He voluntarily returned to France in 1950 in order to stand trial and was acquitted.

The beneficiary was married to a United States citizen, Cornelia Taylor, on November 13, 1946, in Kingston, N. Y. They have three children all born in the United States. He is employed as a technical secretary by the Rhodia Co., 230 Park Avenue, New York City, and earns $5,500 annually. He claims assets totaling $1,000.

Congressman Stuyvesant Wainwright, the author of the bill, submitted to the Committee on the Judiciary the following statement in support of the bill:

STATEMENT OF MR. WAINWRIGHT OF NEW YORK CONCERNING H. R. 2345, IN BEHALF OF JEAN HENRI BUCHET

I very much appreciate the opportunity given me by this committee to make a statement in support of H. R. 2345, which I reintroduced in this session of Congress in behalf of Jean Henri Buchet.

Buchet was born in France in 1922. He first entered the United States as a visitor in 1946, using the passport of a friend, Adrien Antoine Pache, thus assuming the identity of Pache. He was subsequently granted the privilege of preexamination and entered the United States as an immigrant in 1947. He returned to France in 1950, having obtained a reentry permit, and reentered the United States the same year. All entries were effected under the assumed identity of Pache. Each year Buchet registered as an alien, giving both his correct name and his assumed name. The immigration authorities at a hearing in 1954 held that the reentry permit was not valid because it was procured by fraud and misrepresentation. However, a prior charge of his having admitted the commission of the crime of perjury prior to his entry was not sustained.

Why did this young man (at the time 24 years of age) enter the United States under such conditions? It is interesting to note that Buchet is a man of good background, his father being a prominent French Army officer and the recipient of the Distinguished Service Cross for his heroism while attached to the American Army in the Argonne-Meuse operations during World War I.

Buchet served in the French Army during 1942 and 1943. Following his discharge he states he was drafted to help in moving the Vichy government. Buchet was assigned to drive a truck and after driving nights and being under constant watch by the Germans arrived in Germany where he was kept under surveillance for 10 months. Upon his return to France he was denounced as a German collaborator and imprisoned in Lyon. He was subsequently paroled because of lack of evidence. The climate in France at that time was such that his attorney advised him to disappear, knowing that he would not receive a fair trial. He spent a year in hiding. Through his friend, Pache, at the time a theological student, Buchet came to the United States, using his friend's passport.

In 1947 he was condemned to death in absentia by the court of Lyon.

In 1950 he returned to France to appeal his case and was completely exonerated. This committee has photostat copies of the documents in this case.

The object of this bill is to make it possible for Jean Buchet to remain in this country with his American-born wife (whom he married in 1946) and his 3 boys, aged 8, 6, and 4. He is employed as a technical secretary with a chemical firm in New York. Buchet has at all times strictly adhered to the requirements of the Immigration and Naturalization Service. Because of this fact the immigration authorities saw fit in December of last year to act favorably upon my request that his travel restrictions be released in order to enable him to maintain his position with the chemical firm, thus permitting him to travel within the United States in connection with the firm's business.

It appears from the facts in this case that Buchet is in a sense a victim of circumstances. He has lived in my congressional district since 1946 and is a respected member of the community and known to be a good husband and father. I have had several conversations with Buchet and have met Mrs. Buchet and the three children. I am convinced that this man will make a fine American citizen and will, in turn, raise his children in keeping with the best of our American traditions.

Upon consideration of all the facts in this case, I sincerely hope that the committee will recommend favorable action.

Congressman Wainwright also submitted the following statements in support of the bill:

In 1943, after I had been discharged from the army, I took a job in Vichy with the "Jeunes de l'Europe Nouvelle" as secretary, a nonprofit, nonpolitical organ-

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ization, intended to help students and young people in seeking summer jobs, summer camps, as well as supplying them with all kinds of literary, art, technical books.

Right after August 15 Vichy was in state of seige and all young men were drafted to help in the moving of the Vichy government to Belfort. I was assigned to drive a truck. All the moving operation, was made under strict German surveillance. Most of the driving was at night. When we finally reached our destination we found ourselves in Germany. That was in 1944.

There for 10 months I was kept under watch, awaiting assignment. Finally in May 1945 I was repatriated along with thousands of other workmen across the Swiss border.

Upon my arrival in Lyon a worker denounced me to the police as a traitor; without any evidence I was put in jail. Because of lack of evidence a few days later I was freed on parole and my lawyer gave me the advice to disappear. For almost 1 year I hid myself in various places.

But France was in such a troubled state that one could not expect justice from the court and it was dangerous for my family, my friends, as well as for myself to remain there.

Therefore I came to America with the help of a theological student, Adrien Pache, who gave me his papers, because it was impossible for me to obtain my own, and with the help of an American cousin of mine, Louis F. Timmermann, of New York.

In 1947 I was condemned to death in absentia by the Court of Lyon.

In 1950 I went voluntarily back to France to stand trial. I was completely exonerated.

I came back and have tried ever since to straighten out my legal status in the United States.

I arrived with a temporary visa, under Adrien Pache's name.

Married Nina Taylor, an American citizen, also under the name of Pache.

In 1947 applied and obtained a nonquota immigrant visa in Montreal in the name of Pache.

In 1950 applied and obtained a reentry permit to go to France in the name of Pache.

In 1951, 1952, 1953, 1954, I filed the alien registration card and stated my two names, Buchet and Pache.

I am known by the name of Jean H. Buchet and have three children all registered under the name of Buchet.

I, Jean H. Buchet, do swear that the contents of this statement, pages 1, 2, 3, are true to the best of my knowledge, and that this statement was signed by me with my full, true name.

JEAN H. BUCHET.

Sworn to before me this 22d day of March 1954.

[SEAL] LOUIS PAVELEK,
Notary Public, State of New York.

Commission expires March 30, 1954.

[Extract from the Minutes of the Clerk of the Court of Appeal o Lyon]

Public session of the Court of Justice of Lyon, May 22, 1950:

Considering the statement of facts dated May 18, 1946, of the government commissioner, deciding the return before the Court of Justice of Lyon of the said Buchet, Jean Henri Francois Leon Xavier, born October 8, 1922, at Nevers (Nievre), chemist, now residing in New York; under the accusation of treason.

Considering the decree rendered July 4, 1946, by default, by the Court of Justice of Lyon condemning Buchet to the sentence of death, national degradation, and confiscation of property.

Having heard M. Rolland, assistant government commissioner for prosecutions.

Having heard Maitre Vuillard, attorney, counselor for the accused and the accused himself, who made the closing address;

After having deliberated in the council chamber, in conformity with the law;

The Court:

Considering the negative replies of the court to the principal as well as the secondary questions presented to it;

Considering that it follows that the accused is not guilty of the acts ascribed to him;

Accordingly, by majority vote:

Releases Jean Buchet from the objects of the charge and dismisses the proceedings against him without penalty or disbursements; declares that he shall immediately be restored to liberty if he is not detained for other cause.

Done and declared in public session on May 22, 1950, by the Court of Justice of Lyon, composed of M. Vayssettes, President, Messrs. Albert, Renard, Champelavier, and Voisin, incumbent jurymen, in the presence of M. Vacher, clerk of the court.

And the present decree signed by the president and clerk of the court.

Certified conformed copy.

The Clerk of the Court.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2345) should be enacted.

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Calendar No. 1559

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1536

HEINRICH WOLFGANG

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2347]

The Committee on the Judiciary, to which was referred the bill (H. R. 2347) for the relief of Heinrich Wolfgang, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of a crime involving moral turpitude in behalf of a former naturalized citizen of the United States and the father of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 54-year-old native and citizen of Germany, who presently resides in that country with his wife. The beneficiary entered the United States on June 22, 1923, for permanent residence and was naturalized a citizen of this country on December 18, 1928. He married a legally resident alien who subsequently became a naturalized citizen, and they have one daughter, a citizen of this country, who resides in Washington, D. C. On February 17, 1939, the beneficiary was convicted of third-degree forgery, in that he forged a signature on an electrical permit, and was sentenced to the penitentiary. Execution of this sentence was stayed during good behavior and he was placed on probation. The beneficiary and his family returned to Germany in 1939. Their United States citizen

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daughter returned to this country in 1946, and without the waiver provided for in the bill, the beneficiary will be unable to accompany his wife to this country to join their citizen daughter.

A letter, with attached memorandum, dated November 24, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9805, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 24, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9805) for the relief of Heinrich Wolfgang, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would waive the provision of section 212 (a) (9) of the Immigration and Nationality Act which excludes from admission into the United States aliens who have committed a crime involving moral turpitude and would grant the alien permanent residence if he is found to be otherwise admissible. This bill provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to enactment.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE HEINRICH WOLFGANG, ALIAS HENRY CHARLIE WOLFGANG, BENEFICIARY OF H. R. 9805

The beneficiary, a former United States citizen, is a native and citizen of Germany. He was born in Wennings, Germany, on November 9, 1901. His only entry into the United States was at New York, N. Y., on June 22, 1923, as an immigrant. He was naturalized as a United States citizen by the United State district court at Brooklyn, N. Y., on December 18, 1928, under the name of Henry Charlie Wolfgang.

The records of the appellate division of the New York Supreme Court, second division, reflect that the beneficiary was one of the original incorporators of the German-American Settlement League and was a member of the German-American Bund.

On March 5, 1938, the beneficiary was charged with the crime of failing to file documents and statements with the Secretary of State contrary to section 53, article 5A, of the civil rights law of the State of New York. On July 12, 1938, the beneficiary was convicted and sentenced to 1 year, suspended, and fined $500. Fritz Kuhn, national leader of the German-American Bund, announced on July 28, 1938, that the bund would raise an appeal fund to fight the verdict against the beneficiary and several other individuals, all directors of the German-American Settlement League. The beneficiary appealed and in the higher court he was acquitted.

The records of the county court, Queens County, N. Y., reflect that the beneficiary pleaded guilty of third-degree forgery in that he forged a signature on an electrical permit and was sentenced to the New York Penitentiary on February 17, 1939. Execution of this sentence was stayed during good behavior and the beneficiary placed on probation.

Mrs. Marion Matilda Potere, nee Wolfgang, daughter of the beneficiary and sponsor of this bill, testified that the beneficiary and his family departed the United States on August 23, 1939; that the beneficiary and his wife, a former United States naturalized citizen, have resumed German citizenship and have continued to reside in Germany since 1939. She stated that the beneficiary

was drafted into the German Army during World War II and served on the Russian front. She also stated that the beneficiary owns and operates an electrical appliance business in Germany and is a master electrician.

The Department of State has advised this Service that the beneficiary presented himself before an officer of that Service on October 29, 1940, and declared himself a German citizen.

On May 15, 1942, the Federal Bureau of Investigation attempted to serve an executive warrant on the beneficiary but could not locate him inasmuch as he had left the country in 1939.

In 1942 the Department of Justice considered the institution of proceedings to cancel the naturalization of the beneficiary on the ground that at the time of naturalization he had a mental reservation concerning his allegiance to the United States. In January 1943 the Department of Justice considered the case closed inasmuch as the beneficiary had returned to Germany.

The beneficiary's daughter, Mrs. Marion Matilda Potere, resides in Washington, D. C., is employed as a clerk, earning approximately $3,237 per annum, and has assets of furniture and furnishings valued at about $1,000.

The Director of the Visa Office, Department of State, submitted the following report dated September 30, 1954, to the Committee on the Judiciary of the House of Representatives:

DEPARTMENT OF STATE,
Washington, D. C., September 30, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. REED: Reference is made to your letter of August 30, 1954, and its enclosures, wherein you request a report of the facts in the case of Heinrich Wolfgang, beneficiary of H. R. 9805, 83d Congress, 2d session.

It appears from information contained in the Department's files that Mr. Wolfgang was convicted on February 14, 1939, of the crime of forgery in violation of section 889 of the Penal Code of New York.

As forgery has been held to constitute a crime involving moral turpitude within the meaning of the provisions of section 212 (a) (9) of the Immigration and Nationality Act, the American consular officer to whom Mr. Wolfgang should apply would have no alternative other than to refuse to issue a visa in his case.

At this time the Department has no knowledge of any factor in Mr. Wolfgang's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Wolfgang from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Congressman Stuyevsant Wainwright, the author of the bill, submitted the following statements in support of the bill:

STATEMENT OF MR. WAINWRIGHT OF NEW YORK CONCERNING H. R. 2347, IN BEHALF OF HEINRICH WOLFGANG

I very much appreciate the opportunity to make a statement before this committee in support of H. R. 2347 which I reintroduced in this session of Congress in behalf of Heinrich Wolfgang.

Subject man is held to be inadmissible by reason of having been convicted of third degree forgery (State of New York) in 1939. It is pertinent to note at this point that the sentence was suspended.

Mr. Wolfgang entered the United States for permanent residence in 1923, and remained in this country until the latter part of 1939 when he returned to Germany taking his family with him. During the 16 years in this country he became a naturalized citizen, married a legal alien, and their only child, a daughter, was born in the United States. During all this time he was a respected member of the community of Ridgewood, Long Island, being an active member of the Zion Lutheran Church in Brooklyn as well as in other community affairs; also a member of a well-known fraternal organization.

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The daughter, a fine, capable young woman, is an employee here in the House of Representatives and is respected and liked by all who know her. It is her most earnest desire to have her father and mother readmitted to the United States so that the family can again be together. A statement by the daughter is on file with this committee.

In addition to the departmental reports, this committee was furnished a copy of a letter which I received from the Department of State in April of this year. This letter was in response to a request which I made that the entire case be reviewed in the light of certain amendments to the Immigration and Nationality Act. Because I consider it of the utmost importance, I should like to quote the two pertinent paragraphs of this letter. I believe the information clarifies certain aspects of the case; and, in particular, certain references contained in the Attorney General's report:

"The Department examined Mr. Wolfgang's case in the light of Public Law 770, section 4 of which provides for the relief of those aliens who have committed a crime involving moral turpitude definable as a petty offense. However, as Mr. Wolfgang was convicted of the crime of forgery in the third degree and as such an offense is defined in the Penal Code of New York as a felony, he is ineligible for the relief provided by Public Law 770.

"It may be added that *on the basis of all the information now available, Mr. Wolfgang does not appear ineligible for a visa under section 212 (a) (27), (28), or (29)* of the Immigration and Nationality Act." [Italics supplied.]

While we cannot condone or excuse acts which are in conflict with our laws, this man has paid dearly. On the basis of the information contained in the court records as well as other background documents in this case, it appears to me that this man was a victim of circumstances—with limited understanding of the English language and its attending barriers, he unwittingly became a tool for an unscrupulous adventurer. In fact, had Mr. Wolfgang been in a financial position to have obtained competent legal counsel, he in all probability would have appealed his case and been cleared. While the sentence was suspended in this case, the penalty which he has paid is far greater than any court could have imposed. By this unfortunate act the beneficiary of this bill caused his family to be separated for many years. It was his desire and the desire of Mrs. Wolfgang to have their only child return to the United States to live in the country where she was born; thus, in 1946, at the age of 16, the daughter returned to the United States where she completed her high school education and since that time has been gainfully employed. This young lady has been endeavoring since 1951 to find some way in which she could have her father readmitted to this country.

Admittedly Mr. Wolfgang's mistake was to have left the United States following his difficulty in 1939. He was a naturalized citizen and could have remained in this country. This man, however, believing that he had suffered an injustice, acted on his first and most natural impulse, and returned to his native country. As I have said, this was a mistake—but this decision was made by a proud man who felt he had lost his self-respect and that his future in his adopted land had been ruined as a result of this one unfortunate incident.

While this man currently has a well-established business in Germany he nevertheless is eager to return to the United States and make a fresh start—where the family can be reunited.

AUGUST 26, 1954.

My father, Heinrich Wolfgang, was born in Germany in 1901 and enter the United States for permanent resident in 1923. From 1923 until his departure for Germany in 1939 he lived in Queens County, Long Island, N. Y., and for a good part of the time he lived in the town of Ridgewood. My father married Kate Frische in 1926 (a legal alien).

In 1939 my father returned to Germany with his family—the family consisting of my mother and the undersigned.

My mother and father have resided in Germany since 1939. In 1951 my father applied for entrance into the United States and was held excludable under section 212 (a) (9) of the Immigration and Nationality Act, for reason that he was convicted on February 14, 1939 of the crime of forgery in violation of section 889 of the Penal Code of New York.

The circumstances surrounding this conviction are briefly as follows:

My father was in the electrical installation business in New York from 1926 until 1939. My father was associated with one L. Z. Becker who signed the applications for permits to make electrical installations. Some time later Mr.

Becker executed a power of attorney authorizing my father to sign these applications for him. Unknown to my father Mr. Becker died and my father unwittingly continued to sign applications in the name of Mr. Becker. This came to the attention of the authorities and my father was arrested in Ridgewood, Long Island, N. Y. My father showed his power of attorney to the New York authorities who retained it. In sentencing my father the presiding judge commented that under the law he had no alternative but to pass sentence although my father had injured no one. (Suspended sentence for forgery in 3d degree.)

The court records are located at the court house, Jamaica, Long Island.

My mother and father are presently residing in Stockheim-Oberhessen. Germany.

MARION WOLFGANG POTERE.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2347) should be enacted.

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Calendar No. 1560

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1537

DR. BIENVENIDO L. BALINGIT

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3057]

The Committee on the Judiciary, to which was referred the bill (H. R. 3057) for the relief of Dr. Bienvenido L. Balingit, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Bienvenido L. Balingit. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 40-year-old native and citizen of the Philippine Islands, who last entered the United States on July 31, 1952, as an exchange alien. The beneficiary's father served with the United States Army stationed at Schofield Barracks until his honorable discharge in 1941, after 30 years' service. The beneficiary resided in Hawaii until 1935, when he returned to the Philippines to attend medical school. In April 1943, he was inducted into the Luzon guerilla army forces, and on August 5, 1946, he was appointed first lieutenant in the Army of the United States in which capacity he served until August 15, 1949. The beneficiary states that at the time of his discharge from the Army, he was not advised of naturalization benefits. The beneficiary is now serving as a staff physician of the

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Worcester County Sanatorium, Worcester, Mass., and it is stated that his services are urgently needed.

A letter, with attached memorandum, dated June 23, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 23, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 3057) for the relief of Dr. Bienvenido L. Balingit, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Boston, Mass., office of this Service which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota for the first year that such quota is available.

The beneficiary is chargeable to the quota for the Philippines.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. BIENVENIDO L. BALINGIT, BENEFICIARY OF H. R. 3057

Dr. Bienvenido L. Balingit, a native of the Philippines, was born on December 15, 1915 in Cebu. He married Dimitria Mollair, a citizen of the Philippines on June 25, 1944, in Masantol, Pampanga, Philippines. This is their only marriage and they have 4 children. His wife and 4 children reside in Masantol, Pampanga, Philippines, and are supported by him.

The alien resides at the Worcester County Sanatorium where he is a resident physician receiving advance training in tuberculosis and diseases of the chest. He attended medical school at the University of Santo Tomas, Manila, Philippines, and on May 30, 1942, was given the degree of doctor of medicine by that school. His assets consist of a salary of $340 per month plus board and room, property and savings of $14,000 in the Philippines and his personal belongings. Other than his family he has no near relatives living in the Philippines and he has no relatives in the United States. From July 1928 to 1935, he resided with his father at military posts in Hawaii, where his father was serving with the United States Army. From August 1949 to July 1952 he was a practicing physician in the Philippine Islands.

The beneficiary's only entry into the United States was at Seattle, Wash., on July 31, 1952, by plane, at which time he was admitted as an exchange alien to participate in the exchange visitors program for 1 year. His last extension of stay was to expire on July 30, 1955. On April 8, 1955, his status as a nonimmigrant was deemed terminated and he was considered unlawfully in the United States since he was attempting to have his nonimmigrant status adjusted to that of a permanent resident and this was considered an attempt on his part to abandon his foreign domicile. Deportation proceedings were instituted on April 8, 1955, on the ground that after admission to the United States as an exchange alien nonimmigrant, he failed to maintain that status. In a hearing accorded him on April 12, 1955, the special inquiry officer found him deportable on the above charge and entered an order that he be granted voluntary departure and in the event he failed to depart that he be deported. There was no appeal from this decision.

From August 1943 to March 1946, Dr. Balingit was a lieutenant with the guerrilla army of the Philippines in Luzon. From August 1946 to August 15, 1949, he served as an officer in the United States Army in the Philippines and was honorably discharged. Since the alien entered the United States Army in the Philippines, he is ineligible for naturalization as a citizen of the United States under section 329 of the Immigration and Nationality Act.

There appears to be no administrative relief available. Dr. James T. Brosnan, 39 Dean Street, Worcester, Mass., is the person primarily interested in the bill. Private bill H. R. 9572 was introduced in the 83d Congress, 2d session, on June 15, 1954, in behalf of the alien.

Congressman Philip J. Philbin, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, as follows:

Mr. Chairman and members of the committee, I appear in behalf of H. R. 3057 for the relief of Dr. Bienvenido L. Galingit.

In connection with this bill, I have filed Dr. Balingit's own statement of his background, which I think well points up the merits of this bill.

This young man's father served as a regular with the United States Army and the young man himself served with the Philippine Scouts, which was, as you know, a contingent of the United States Army. His father served in the Army for 30 years and received an honorable discharge. The young man himself received his degree in medicine from Santo Tomas University in Manila in May 1942 when the Philippines were already occupied by Japan. In April 1943, he was inducted into the Luzon guerrilla army forces, a unit duly recognized by the United States. He served with the rank of first lieutenant as battalion surgeon until March 1946. On August 5, he was appointed a first lieutenant in the Army of the United States and continued this service until August 1949.

When he was separated from the Army at Fort William McKinley in the Philippines, he states that he was hurried through the process of separation and not advised of his rights as a veteran of any law regarding naturalization and did not learn of his rights until he had been out of the service for a year. He received favorable consideration under the GI bill of rights educational provisions but could not be naturalized because the 6 months period of grace provided by law had elapsed.

In July 1952, he came to the United States to pursue residency training in medicine under the GI bill.

Dr. Balingit is a very well qualified doctor and at present is senior physician member at the Worcester County Sanatorium, which serves my district and that of my esteemed colleague, Harold D. Donohue.

As Dr. Balingit states he is even willing to volunteer his services to the United States Armed Forces again if only to regain his qualifications for naturalization. I think, however, that since he is married with four dependent children and considering all the circumstances, his case has great merit and in order to avoid hardship to this worthy young man and his family, I will be thankful for your favorable consideration of this bill.

In addition, Congressman Philbin submitted the following letters in support of the bill:

WORCESTER COUNTY SANATORIUM,
Worcester, Mass., March 15, 1955.

Hon. PHILIP J. PHILBIN,
House of Representatives, Washington, D. C.

DEAR MR. PHILBIN: I received your letter together with the enclosure about H. R. 3057. I certainly would be glad to give you an up-to-date statement concerning my personal situation.

I was born, as I told you in my letter some time last year, in Cebu, Philippines on December 15, 1915. My father at that time was with the Philippine Scouts which was a contingent of the United States Army. In the late 1920's, my father enlisted with the Regular Army and was stationed at Schofield Barracks in Hawaii. I grew up in Hawaii where I finished my high school and 1 year of premedical schooling at the University of Hawaii. In 1935, I returned to the Philippines to continue my studies in medicine. My father in the meantime retired from the service in 1941, after 30 years of excellent and honorable service. When World War II broke out in December 1941, I was in my last year in the college of medicine of the University of Santo Tomas in Manila. I graduated in May 1942, with the degree of doctor of medicine in May 1942, when the Philippines were already occupied by the Japanese Imperial Forces. In April 1943, I was inducted to the USAFFE—Luzon guerrilla army forces, which later was duly recognized by the United States Army on May 21, 1945, and remained with them as battalion surgeon with the rank of first lieutenant until March 1946. On August 5, 1946, I was appointed first lieutenant in the Army of the United States

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with Army serial No. O1896724. On this capacity I served until I was discharged on August 15, 1949. At the time of separation from the service at the United States Army Philippine Scouts Hospital, formerly the 10th General Hospital at Fort William McKinley in the Philippines, I was hurried through the process of separation. I was not advised of my rights as a veteran. I was not informed of any law regarding naturalization or benefits I might have been entitled to. These I found out later when I had been out of the service for 1 year. Subsequently I tried to avail myself of these rights. I was able to use my educational bill of rights, but for purposes of naturalization I couldn't do because the 6 months' grace had elapsed and my repeated inquiries for permanent immigration to the United States had been in vain because I was always told that the quota had been filled for the next 15 or 20 years. In July 1952, I took the opportunity to come to the United States in an exchange visitor visa with the hope that I might have my immigration status adjusted on arrival. I have solicited the help of Hon. Harold Donohue in 1952, and also the help of the Commissioner of Immigration in Boston, Mr. Nichols. Although these gentlemen were very kind and considerate and believed my case to be meritorious, they could not help me because of the law. I'm very thankful to them for the kind consideration.

In the United States since my arrival, I first served as medical resident at St. Vincent Hospital in Worcester for 1 year. I am now with the staff of the Worcester County Sanatorium acting as senior physiciam nember of the staff. In this position, I could stay indefinitely pending results of adjustment of my immigration status. May I restate here, sir, that I am more than willing to volunteer my services to the Armed Forces again, if only to regain my qualification for naturalization.

For your additional information, I am married and have four dependent children. Mrs. Balingit and one of the girls came in May 1954 for a visit. They are to go back to the Philippines in May 1955. She hopes to be able to come back with the children in the near future. She joins me in thanking you for the personal interest and consideration you have given in my behalf. Thank you ever so much.

With warmest regards and personal best wishes, I remain,

Sincrelly yours,

BIENVENIDO L. BALINGIT, M. D.,
Senior Physician

WORCESTER COUNTY SANATORIUM,
Worcester, Mass., July 15, 1955.

Hon. PHILIP J. PHILBIN,
Representative in Congress,
House of Representatives, Washington, D. C.

MY DEAR MR. PHILBIN: Dr. Bienvenido L. Balingit has been a member of the staff, classified as senior physician, at Worcester County Sanatorium since July 22, 1953. His work has been excellent and well integrated into the activities at our sanatorium. In particular, he has been in charge of two floors, has given surgical assistance and has been an active participant in our staff conferences.

Dr. Balingit's departure would be most undesirable. I'm very anxious to have him continue his present duties and in his present capacity at Worcester County Sanatorium and hope that such arrangements can be made.

With best wishes and regards,

Yours sincerely,

HEINZ J. LORGE, M. D., *Superintendent.*

WORCESTER, MASS, *July 16, 1955.*

HON. PHILIP PHILBIN,
House of Representatives, Congress of the United States,
Washington, D. C.

DEAR SIR: It has been my pleasure and privilege to have associated with Dr. Benvienuto L. Balingit since he began to serve the Worcester County Sanatorium about 2 years ago.

This gentleman was raised at an Army post in Hawaii, where his father served with the United States Army. I have been in with him during conversations with exservicemen as they compared memories and exchanged stories of pre-Pearl Harbor Army life at Pearl Harbor.

During World War II he contributed his efforts in the service of his homeland, then a part of the United States area. Having done what was expected of him,

he further contributed by entering the postwar Army of the United States. Already a qualified physician, his service record shows that he, oddly enough, entered as a line officer and was later transferred to the Medical Corps, AUS. We have often exchanged stories of Army life and ways.

He came to this country to further his qualifications as a man of medicine. Having broadened his knowledge in medicine, he served the Worcester County Sanatorium to gain experience in the field of phthisiology, one of the more puzzling aspects of internal medicine. He has contributed from his knowledge as well as benefiting from his experience, a common association among physicians. His patients like and respect him, and have that confidence which patients have in their doctor.

Dr. Balingit and I have lived together as coworkers, friends, and neighbors for 2 years. I hope we can continue. As a citizen, I laud your efforts to have consideration given to his desire and his merit to continue to live here and serve his neighbors.

Very sincerely yours,

CARROL F. BUTLER, M. D.

ST. MARY OF THE HILLS RECTORY,
Boylston, Mass., July 16, 1955.

Hon. PHILIP J. PHILBIN,
House of Representatives, Washington, D. C.

DEAR MR. PHILBIN: I am writing this note, in behalf of Dr. Benvienuto L. Balingit, a Filipino, who is in residence at the Worcester County Sanatorium, of which I am the Catholic chaplain. I have known him since last November, when I was appointed to this parish, with the sanatorium as my charge. In that time, I have seen him minister to the patients, and have witnessed the excellent work he has done, and the confidence he has instilled into their hearts, creating the wish and will to get well.

As you know, he has served with distinction in the Medical Corps of our Army, in the Philippines, and now has showed a great desire to become a citizen of this country. He will surely be a credit to us, and will continue to serve the sick, whom he has so faithfully treated in the past. There is no doubt but that his medical skill will be an asset to us, and to those afflicted with the great white plague. His services here have been outstanding, and a dire need for them continues. I feel that the granting of citizenship will be beneficial to the country as a whole, to the people he has served, and will be a fitting climax to the services he has rendered in the Armed Forces of our great country. Therefore I do not hesitate to recommend him to the Congress for serious consideration.

With best personal wishes, I am,

Sincerely yours,

Rev. MICHAEL E. SHEA, P. P.

ST. VINCENT HOSPITAL,
SISTERS OF PROVIDENCE,
Worcester, Mass., July 17, 1955.

Hon. PHILIP J. PHILBIN,
House of Representatives,
Congress of the United States, Washington, D. C.

DEAR SIR: Dr. Bienvenido L. Balingit served as resident in medicine at St. Vincent Hospital from July 1952 through June 1953. During that time I had the opportunity of becoming quite familiar with him as a physician and as a person. During this period I acted as director of the educational board at St. Vincent Hospital and it was my responsibility to appraise our house officers with some objectiveness and fairness, also to be aware of what other members of the medical staff at this hospital thought of the various house officers.

I think, therefore, that the following appraisal is a very fair one. Dr. Balingit, during his time of service with us showed himself to be a person with deep fundamental integrity. His personal attributes were such as to make him respected and liked by each member of the staff with whom he had contact. He was industrious and devoted to his patients and remarkably competent.

It was my opinion that Dr. Balingit was a credit to our profession. When the time of his appointment was drawing to a close I was aware of his interest in developing further competence in the field of tuberculosis and chest disease

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generally and was happy to help him find an appointment in this field. I did so with no hesitation or fear that my enthusiastic recommendations for him would backfire.

Since that time I have had some interest in his accomplishments and attainments and have found that the impressions he left with us at St. Vincent Hospital have been shared by the doctors with whom he has been in intimate contact since that time.

I have the same confidence that my enthusiastic opinion of Dr. Balingit as a citizen of our country will never provide me with any regrets.

Sincerely yours,

JOHN MEYERS, M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3057) should be enacted.

O

Calendar No. 1561

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1538

GEORGE MIKROULIS, HIS WIFE, DORA MIKROULIS, AND HIS DAUGHTER, MADONNA G. MIKROULIS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3201]

The Committee on the Judiciary, to which was referred the bill (H. R. 3201) for the relief of George Mikroulis, his wife, Dora Mikroulis, and his daughter, Madonna G. Mikroulis, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to George Mikroulis, his wife, Dora Mikroulis, and his daughter, Madonna G. Mikroulis. The bill provides for quota deductions from the number of visas authorized to be issued to certain Greek refugees under the provisions of the Refugee Relief Act, and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are husband, wife, and minor child, and they are 48-, 43-, and 10-year-old natives and citizens of Greece, respectively. The male beneficiary last entered the United States on May 17, 1949, as a foreign government official. He first entered this country on January 1, 1947, as a foreign government official, accompanied by his wife and daughter, who were admitted as the family of a foreign government official. In 1952, the male beneficiary resigned his position with the Royal Consulate General of Greece,

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thus terminating the beneficiaries' lawful status. Prior to his resignation from the Greek consulate, the male beneficiary was charged with administering the affairs of Greek vessels coming to America and undertook the pursuit of Greek Communists who were arriving in various ports of this country and creating disturbances among the crews. He is now employed as a company representative with a maritime company. He fears to return to Greece with his family because of his active work against communism both in Greece and in this country. The beneficiaries' applications under section 6 of the Refugee Relief Act, as amended, were denied on October 28, 1954.

A letter, with attached memorandum, dated August 19, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 2186, which was a similar bill introduced in the 83d Congress for the relief of the same beneficiaries, reads as follows:

AUGUST 19, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for the report relative to the bill (H. R. 2186) for the relief of George Mikroulis, his wife, Dora Mikroulis, and his daughter, Madonna G. Mikroulis, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the aliens permanent residence in the United States upon payment of the required visa fees. It also directs that three numbers be deducted from the appropriate immigration quota.

The beneficiaries are chargeable to the quota of Greece.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GEORGE MIKROULIS, HIS WIFE, DORA MIKROULIS, AND HIS DAUGHTER, MADONNA G. MIKROULIS, BENEFICIARIES OF H. R. 2186

The beneficiaries comprise a family group consisting of husband, wife and minor daughter, respectively. All are natives and citizens of Greece and last residents of that country. George Mikroulis and Dora Mikroulis, nee Kantas, were born on the island of Corfu on April 23, 1907, and February 14, 1912, respectively. They married, each for the first time, in Athens, Greece, on December 25, 1937. Their only child Madonna, the minor beneficiary, was born in Athens on January 6, 1945.

On January 1, 1947, the three beneficiaries were admitted to the United States at the port of New York for an indefinite, temporary period under section 3 (1) of the Immigration Act of 1924, as an accredited official of the Government of Greece and family. While this represents the only entry of the female beneficiaries, Mr. Mikroulis departed from the United States in February 1949, in pursuit of his employment by the Royal Consulate General of Greece at New York, N. Y. He reentered at New York, N. Y., on May 17, 1949, at which time he was again admitted as an accredited foreign government official. In April 1952, the male beneficiary's resignation from his position as vice police captain, attached to the Royal Consulate General of Greece, Mercantile Marine Department, New York, N. Y., was tendered. Thus, he and his wife and daughter became subject to deportation in that they failed to maintain the nonimmigrant status in which they were admitted to the United States. Formal deportation proceedings have not as yet been instituted. Private bills S. 3070, 81st Congress, introduced on behalf of Mr. Mikroulis, and H. R. 7731, 82d Congress, introduced on behalf of all three beneficiaries, failed of enactment. This Service is currently entertaining applications filed by each beneficiary under the Refugee Relief Act of 1953.

Testimony of the adult beneficiaries reveals that Mr. Mikroulis served in the Greek Army from 1927 to 1929 and with the civil police of Athens, Greece, from

1929 until leaving for the United States on assignment in 1946. The male beneficiary received law training at the University of Athens and attended government service training and police schools in Athens, Greece. From January 1947 until April 1952 as a representative of the Greek Government, Mr. Mikroulis was charged with administering the affairs of Greek vessels coming to America. In March 1952, he obtained private employment with the Paular Maritime Co., Inc., New York City, and at present is employed as a company representative at a salary of $433 a month. His outstanding assets consist of a savings account with a balance of some $10,000 and a checking account with a balance of some $1,000. Mr. Mikroulis holds position of rank in various religious and social organizations in the Greek-American community in New York City. Mrs. Mikroulis, the daughter of a Greek Army general, attained a high school education and further private tutoring in Greece. She has never been gainfully employed and, with the minor beneficiary, is completely dependent upon the male beneficiary for support. The family trio resides alone in a New York City apartment. There are no relatives in the United States.

Congressman Herbert Zelenko, the author of the bill, submitted the following letters and statements in support of the bill:

George S. Mikroulis, born in Corfu, Greece, April 23, 1907. Graduated from both the law school of the University of Athens and from the Pantios Political and Economical School, Athens, Greece.

I entered the Police Corps of Greece on June 28, 1928.

Upon my graduation from the Police Academy of Corfu, Greece, I served in the Office of Direction of the Security Police, Athens, and later with the Security Police Headquarters, Athens, to which I still belong.

On January 1, 1947, I arrived in New York, on the steamship *City of Athens* and was placed by the Greek Government in the Mercantile Marine Office of the Consulate General of Greece, New York, where I undertook the pursuit of the Greek Communists who were arriving in various ports of the United States on Greek ships and were creating disturbances among the crews, by order of the Greek Communist Party. Such Greek Communists I dismissed from the ships and took legal action against 487 in all from time to time on ships which arrived in various United States ports, such as New York, Philadelphia, Baltimore, Norfolk, Newport News, New Orleans, Charleston, Galveston, Houston.

For my success in rounding up on ships and on land (United States) Greek Communist seamen, I was thanked by the Greek ministry.

I arrived in the United States on January 1, 1947, from Greece, accompanied by my wife Dora, born February 2, 1914, in Corfu, Greece, and my daughter Madonna, born on January 6, 1945, in Athens, Greece. Both my wife and daughter have continuously resided in the United States since their arrival, and have never left American soil to date.

From the time of my arrival in the United States on January 1, 1947, with the exception of the trips which I mentioned to the various North American ports, in regard to my work, for the pursuit of Greek Communist seamen, I took a one and only trip abroad on February 23, 1949, upon orders from the Greek Government. I went to Caracas, Venezuela, and was successful in the arrest and the extradition of the Greek officer of the merchant marine, Lt. Constantine Bacopoulos, and of his return to Greece. He had embezzled $500,000 and left for Venezuela, having been the treasurer of the Greek mercantile marine. After investigations on my part, I was successful in having him prosecuted and delivered to me by the Venezuelan authorities. I sent him to Greece by air in the custody of a Greek police officer. After having completed the above mission, I returned to New York on May 17, 1949, where I continued my work in the Greek mercantile marine. During my absence from the United States my wife and child remained here.

The extent of my work regarding the pursuit of the Communists is well known to Frank Tracy and his assistant, Louis Wienokowski, of the New York office of Immigration, and to Mr. M. Bohan, of the FBI.

When the Greek Communists were completely defeated by the Greek Army with the help of the United States, the insubordination of Greek Communists ceased on board ships, and so the Greek Government, upon my request, granted me leave of absence and I enrolled for further studies in the New York Police Academy (as per attached diploma).

Up to the present time, I still belong to the Greek police force but, as I have completed my years of service, I am subject to pension. Because my family and I are in peril of our lives, due to my strife against communism, the Communists have looted my Athens home and I have undergone tremendous suffering at

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their hands (as per attached certificate). I desire to submit my resignation to the Greek police force and to continue to reside here. I would like to work in the shipping office of my relative, Mr. Pezas, from whom I have had an offer.

During my period of service in Athens, when Greece was occupied by the Nazis and the Greek Government had left with the King and the royal family for Egypt and the Middle East (April 1941–October 1944), I was ordered by my King and my exiled Government from Egypt to stay in Athens and work for the Allies and my country against the Nazis and the Greek Communists. Following the instructions of my Government from Egypt, I devoted my life and energies to the purpose the Allies (British, Americans, Greeks, etc.) were fighting for. I offered tremendous services both to the Allies and my country and for these services I submit herewith a certificate which is self-explanatory, and which was offered to me by the Supreme Commander of the Allied Mediterranean Forces, Field Marshal H. R. Alexander. When my Government, the Greek Government from the Middle East, returned to Greece, after the liberation of my country, I was promoted and decorated for my services against the Nazis and the Communists during the occupation (as per attached certificates).

GEORGE S. MIKROULIS.

[Translation]

No. 5/219

CERTIFICATE OF PATRIOT

In the names of the governments and peoples of the United Nations, we thank George Mikroulis for the services which he rendered for the fight for the freedom.

By his efforts, the freedom of Greece was greatly assisted, as really and for the whole cause for which the free nations are fighting.

H. R. ALEXANDER,
Field Marshal,
Supreme Commander of the Allied Mediterranean Forces.

Dated August 1945.

STATE OF NEW YORK,
County of New York,
City of New York:

I, Alex Kuches, a notary public for the State of New York and a translator of the Greek and English languages by profession, upon oath depose and say that the above translation was made by me on the 8th day of January 1951 and that said translation is true and correct from the attached patriot certificate of George Mikroulis.

[SEAL]

ALEX KUCHES,
Notary Public for the State of New York.

Commission expires March 30, 1951.

POLICE BOARD—RECORD OF MINUTES NO. 49

MINUTES OF THE MEETING OF AUGUST 26, 1946

Present at the meeting: Supreme Court Justice Argyrios Kottoulas, chairman of the board, and its regular members: Police Directors, Class I, Constantinos Petounis, Nicolaos Kinnas, Georgios Kiolas, and Nicolaos Neris; Class I Police Officer Evangelos Karabetsos acting as secretary.

The board took up the study of the recommendations submitted to it concerning the eligibility of class I assistant police officers for promotion to the rank of police officers, class II, since it was about to establish the prescribed lists of eligibles for promotion by selection, eligibles for promotion by seniority, ineligibles for promotion, and those remaining in their current capacities.

After studying the respective files on each of the officers named below and the recommendations of their superiors concerning their qualifications, as well as all other data concerning them, the following decisions have been taken:

III. Board Member Nicolaos Kinnas reporting:

* * * * * * *

18. (3852) Georgios Mikroulis.

* * * * * * *

He is a graduate of the law school as well as of the Panteios School.

Following a period of training at the police school for class II assistant police officers during the first training period, he was appointed assistant police officer, class II, on October 28, 1939, and on June 20, 1942, he was promoted by selection to the rank of assistant police officer, class I.

As an officer, he served with the Bureau of Public Safety of Athens, 7th Division, with the Alien Control Center, and with the Urban Police Headquarters.

He is described by all his successively higher superiors as an excellent officer and is deemed eligible for promotion by selection because he has consistently given evdence of ext-aordinary energy and extraordinary devotion to duty and because during the occupation his activitv was outstanding from a patriotic point of view. For hour after hour he would shut himself up in his office writing information reports which he properly submitted to the respective military authorities. The information he furnished was always accurate and complete. During that period he exhibited a complete lack of concern for the dangers which threatened him and he performed outstanding services for his cour try.

Considering the foregoing and the whole of his excellent record both in this service and as a patriot, as such appears from his file, the board unanimously adjudges him eligible for promotion by selection entirely in keeping with the requirements of the law for such promotion.

* * * * * * *

Whereupon the meeting was adjourned.

ARG. KOTTOULAS, *Chairman.*
C. PETOUNIS,
N. KINNAS,
G. KIOLAS,
N. NERIS,
Board Members.

True copy of original.
Athens, October 10, 1946.

EV. KARABETSOS, *Secretary.*
(Illegible signature.)
Confidential Investigation Division.

Rubber-stamp impressions of the seal of the Urban Police Headquarters, Kingdom of Greece.

STATE OF NEW YORK,
County of New York, City of New York:

I, Alex Kuches, a notary public of the State of New York and a translator of the Greek and English languages by profession, upon oath depose and say that the above translation was made by me on the 14th day of June 1948 and that said translation is true and correct from the attached document.

[SEAL] ALEX KUCHES,
Notary Public in the State of New York.

Commission expires March 30, 1949.

WASHINGTON HEIGHTS HELLENIC ORTHODOX CHURCH, OF ST. SPYRIDON,
New York, N. Y., December 26, 1953.

IMMIGRATION AND NATURALIZATION SERVICE,
70 Columbus Avenue, New York, N. Y.

GENTLEMEN: We hereby certify that Mr. George S. Mikroulis has since 1947 resided continuously and is still resident of our parish, 219 Audubon Avenue, apartment 2–C, New York City.

He is an active member of our parish and since January 1953 has served as general secretary of the church board of trustees.

Mr. G. S. Mikroulis is a person of excellent moral character, honest, trustworthy, of good personality, and the head of a wonderful family. We do most heartily recommend him without reservation as excellent material for citizenship to our country.

Sincerely yours,

THEO. P. TSOLAINOS, *President.*
VERY REV. CHRIST. SHRISTODOULOU, *Pastor.*
E. N. PROTOS, *Executive Secretary.*

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PAULAR MARITIME CO., INC.,
New York, N. Y.

Evans V. Demson, being duly sworn deposes and says:

That he is the president of the Paular Maritime Co., Inc., a domestic corporation with offices at 80 Broad Street, New York, N. Y.

That George S. Mikroulis has been permanently employed by the said corporation since March 1952 as a supervisor of the crews of foreign vessels in the United States and managed by the Paular Maritime Co., Inc. He also handles all Greek correspondence concerning these vessels.

That since he has been employed by this company I have found him to be an honest and conscientious worker and a person of unimpeachable character. It is a privilege to recommend him unreservedly.

EVANS V. DEMSON, *President.*

Sworn to before me this 28th day of December 1953.

[SEAL] MICHAEL KOHEN,
Notary Public, State of New York.

Term expires March 30, 1954.

STATE OF NEW YORK,
County of New York, ss:

Louis J. Dukas, being duly sworn, deposes and says: That he resides at 1995 Sedgwick Avenue, Bronx 63, N. Y.; that he is an attorney at law duly licensed to practice in the State of New York; that he has known George S. Mikroulis, his wife Dora Mikroulis, and his daughter Madonna Mikroulis for over 5 years; that he has had the opportunity to know Mr. Mikroulis intimately not only through his attorney and client relationship, but also from cordial and friendly relations with his family. Your deponent can testify to the good moral character of George S. Mikroulis and his family, to his devotion to democratic principles and ideals, and his loyalty to the United States of America. Your deponent is pleased to recommend him unqualifiedly as a person who would be an asset to these United States.

LOUIS J. DUKAS.

Sworn to before me this 30th day of December 1953.

MILDRED M. CALIFANO,
Notary Public.

My commission expires February 3, 1955.

STATE OF NEW YORK,
County of New York, ss:

Rev. John Psillas, being duly sworn, deposes and says: That he resides at 810 West 133d Street; that he is a duly ordained priest of the Greek Orthodox Church and is the presbyter of the Greek Orthodox Church of St. Spyridon, located at 124 Wadsworth Avenue, New York; that he has known George S. Mikroulis, his wife Dora G. Mikroulis, and his daughter Madonna G. Mikroulis for over 5 years; that as members of his parish your deponent has had the opportunity to observe them closely and is more than happy to vouch for their good moral character. The entire family is devoted to the church and Mr. Mikroulis is a member of the board of directors of the said church. He is one of the leaders of the community and a stanch advocate of the ideals and principles of democracy.

Rev. Father JOHN PSILLAS.

Sworn to before me this 31st day of December 1953.

[SEAL] LOUIS ROVNER, *Notary Public.*

My commission expires March 30, 1954.

STATE OF NEW YORK,
County of New York, ss:

Basil Minakakis, being duly sworn, deposes and says: That he resides at 540 West 143d Street, New York, N. Y.; that he is a member of the Police Department of the city of New York for the past 12 years; that he has personally known George S. Mikroulis, his wife Dora G. Mikroulis, and his daughter Madonna M. Mikroulis for the past 5 years; that he has visited with them on many occasions and attended various social functions with them; that he has found them to be people of unquestionable character, civic minded, and always ready to do their

share for the benefit of their community. It is a privilege for your deponent to recommend them.

BASIL G. MINAKAKIS.

Sworn to before me this 31st day of December 1953.

[SEAL] ALICE E. KINEHAN,
Notary Public, State of New York.

Commission expires March 30, 1954.

STATE OF NEW YORK,
County of New York, City of New York:

I, the undersigned, Alex Kuches, a notary public for the State of New York and a former executive secretary, correspondent, and interpreter of the Mercantile Marine Department of the Royal Consulate General of Greece, located at 15 Moore Street, 24 Stone Street, and 32 Broadway, New York, N. Y., from the year 1940 until April 30, 1950, being duly sworn, upon oath depose and say:

That among other duties in the said consulate, during the 10 years of my service I was taking care of the official correspondence, by direction or dictation of the consular chief port officer, with the United States Government as well as the Greek Government authorities, in the Greek and English languages, and as such I was in a position to become familiar with various matters, which were connected with the doings of other officers who were serving in the said consulate, as well as with acts of seamen visiting the office on official or other business.

That I am well acquainted and closely associated with former Greek Police Inspector George Mikroulis from the 1st day of January 1947 at which day he was attached and began serving in the Mercantile Marine Department of the Royal Consulate General of Greece.

That during the years of 1947 and 1948, when the Communist Party of Greece was attacking the organized Greek Government, Mr. Mikroulis was regularly serving in the said Greek consulate and his duties were to follow up and investigate the activities of the Communist O. E. N. O. (Federation of Greek Seamen's Unions) and its members who were creating trouble and mutinies in the Greek ships upon their arrival in various ports of the United States and who no doubt were receiving instructions from the Communist Party of Greece.

That Mr. Mikroulis was at times sent to various United States ports (Houston and Galveston, Tex., Newport News and Norfolk, Va., New Orleans, La., Charleston, S. C., Baltimore, Md., Philadelphia, Pa., etc.) for the purpose of visiting the Greek ships arriving at those ports and conduct hearings and investigations, and he succeeded in the weeding out of Communist and anarchical seamen, as well as establishing order and discipline, on board the various vessels; that Mr. Mikroulis had at all times the assistance and cooperation of Inspector Frank Tracy of the Immigration and Naturalization Service at New York, who was often visiting the consulate, sometimes with other inspectors of the New York office (Culp, McKeon, Witckowski), in order to help us in putting out the consulate those active members of the O. E. N. O. who were often coming in the consulate to "protest" for one thing or another and who at times were threatening Mr. Mikroulis and the other officers of the mercantile marine department; that Mr. Mikroulis had also the cooperation and assistance of Mr. N. S. Bohan of the FBI.

That in view of all that Mr. Mikroulis was doing against the Communist and anarchical Greek seamen, in his efforts to have them arrested and deported from this country by the United States immigration authorities, I believe that his life will be in danger if he returns to Greece, by those very persons whose subversive activities were discovered and reported by Mr. Mikroulis to the proper authorities and who are now in Greece.

[SEAL] ALEX KUCHES,
Notary Public for the State of New York.

Commission expires March 30, 1955.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3201) should be enacted.

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Calendar No. 1562

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1539

ALKISTA SFOUNIS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3265]

The Committee on the Judiciary, to which was referred the bill (H. R. 3265) for the relief of Alkista Sfounis, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Alkista Sfounis. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native and citizen of Greece, who last entered the United States on September 23, 1952, as a visitor, accompanied by her sister, who was also admitted as a visitor. The beneficiary's parents were admitted to this country for permanent residence in May 1954. They previously resided in the United States, the father from 1902 to 1922, and the mother from 1919 to 1922. During this time, two children were born who are citizens of this country, the son having returned in 1936, and the daughter in 1946. The beneficiary's alien sister is now married to a citizen of the United States and the beneficiary is employed and resides with them.

90006°—57 S. Rept., 84-2, vol. 6——40

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A letter, with attached memorandum, dated August 30, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9027, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 30, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9027) for the relief of Angela Sfounis and Alkisti Sfounis, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the files of the Immigration and Naturalization Service by the Los Angeles, Calif. office of this Service, which has custody of those files.

The bill is intended to confer to the beneficiaries permanent residence in the United States as of the effective date of the legislation upon payment of the required visa fees. It would also direct that two numbers be deducted from the appropriate quota.

It appears that the beneficiary, Angela Sfounis, is eligible to nonquota status, and if otherwise qualified, able to obtain a nonquota immigrant visa.

As quota immigrants the beneficiaries are chargeable to the quota of Greece.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ANGELA SFOUNIS AND ALKISTI SFOUNIS, BENEFICIARIES OF H. R. 9027

The beneficiaries, Angela Sfounis, 31 years of age and Alkisti Sfounis, 24 years of age, are sisters and are native citizens of Greece. Their last foreign residence was on Mytilene Island, Greece, where both were born. They were admitted to the United States at New York, N. Y., on September 23, 1952, for a temporary visit of 6 months. Applications for change of status to that of alien students were later made by both beneficiaries. Their applications were denied for the reason that neither alien was found to be a bona fide nonimmigrant. Both aliens then made applications for adjustment of status under the provisions of section 6 of the Refugee Relief Act of 1953 (Public Law 203, 83d Cong.). Their applications were denied for the reason that neither alien was found to qualify for admission within the meaning of the statute.

The beneficiaries lived on Mytilene Island, Greece, all of their lives to September 1952. They attended school there for 6 years and were unemployed prior to entering the United States. In the United States both beneficiaries lived with a married sister and her family until May 1954. On May 4, 1954, the beneficiary, Angela Sfounis, married Christos Alexiou, a naturalized citizen of the United States. She has been employed since July 28, 1954, as a $60 per week finisher in the garment industry. Her husband, Christos Alexiou, is a native of Greece and served honorably in the Armed Forces of the United States during World War II. He is self-employed as a radio and television repairman and his average monthly income is $400. The couple have no children and own joint community property valued at approximately $9,000. The beneficiary, Alkisti Sfounis, is single and has been employed since July 7, 1954, as a $60-per-week finisher in a Santa Monica, Calif., clothing store. She has no other income or assets and lives with a married sister and her family.

Both parents of the beneficiaries previously lived in the United States, the father from 1902 to 1922 and the mother from 1919 to 1922. Both parents are citizens of Greece. In 1920 at Chicago, Ill., twin children were born to the parents of the beneficiaries. In 1923 the parents sold their restaurant in Chicago, Ill., and returned to Greece with their two United States children. In Greece the parents had 4 other children, including the 2 beneficiaries. In 1936 the Chicago-born brother of the beneficiaries returned to the United States. He served honorably in the United States Armed Forces during World War II.

Their Chicago-born sister returned to the United States in 1947, married a naturalized citizen of the United States and is now the mother of three children. The parents of the beneficiaries were admitted to the United States for permanent residence in May 1954. The remaining two brothers of the beneficiaries are citizens of Greece and reside in that country.

Congressman Omar Burleson, the author of the bill, submitted the following letter in support of the bill:

DWIGHT, ROYALL, HARRIS, KOEGEL & CASKEY,
Washington, D. C., August 2, 1954.

In re Alkista and Angela Sfounis, H. R. 9027

Hon. OMAR BURLESON,
House of Representatives, Washington, D. C.

DEAR OMAR: Alkista and Angela Sfounis entered New York on September 23, 1952, arriving on the steamship *Nea-Hellas*. They entered as nonimmigrant visitors.

Alkista Sfounis was born in Nitilen, Greece, on June 17, 1930. Angela Sfounis was born in Nitilen, Greece, on May 10, 1923.

Angela Sfounis is married to an American citizen, Chris Alexian, and they reside at 1922 Montrose Avenue, Los Angeles, Calif. Alkista Sfounis is single and resides with her sister and brother-in-law, a citizen of the United States at 20256 Hartland Avenue, Canoga Park, Calif. The mother and father of the two girls arrived in the United States under the Greek quota on June 15, 1954, and are presently residing at 1922 Montrose Avenue, Los Angeles, Calif.

This is the information requested by the chairman of the Judiciary Committee and I trust this will enable him to request the Department of Immigration and Naturalization to furnish the committee further reports on the Sfounis sisters.

Very truly yours,

RALPH D. PITTMAN.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3265) should be enacted.

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Calendar No. 1563

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1540

DR. JAMES C. S. LEE, HIS WIFE DORA TING WEI, AND THEIR DAUGHTER, VIVIAN LEE

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3375]

The Committee on the Judiciary, to which was referred the bill (H. R. 3375) for the relief of Dr. James C. S. Lee, his wife Dora Ting Wei, and their daughter, Vivian Lee, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. James C. S. Lee, his wife Dora Ting Wei, and their daughter, Vivian Lee. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are all natives and citizens of China. The male beneficiary last entered the United States on June 30, 1948, as a visitor under a fellowship from the National Council of the Protestant Episcopal Church to observe American hospital management methods. His status was later changed to that of an exchange visitor. The female beneficiaries entered the United States on January 24, 1949, also as visitors. In addition to the alien minor beneficiary, two children have been born in this country and are citizens of the United States. The male beneficiary is a physician and is presently employed as an assistant pathologist at Grant Hospital, Chicago, Ill., where officials state that his services are urgently needed

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and that it would be exceedingly difficult to replace him, because of the shortage of persons with his experience and specialty.

A letter, with attached memorandum, dated January 4, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 5211, which was a bill introduced in the 83d Congress for the relief of the same beneficiaries, reads as follows:

JANUARY 4, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 5211) for the relief of Dr. James C. S. Lee, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required fee. It would also direct that one number be deducted from the appropriate immigration quota.

As a quota immigrant the beneficiary would be chargeable to the quota for Chinese.

Sincerely.

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. JAMES C. S. LEE, BENEFICIARY OF H. R. 5211

The alien, Dr. James C. S. Lee, also known as Lee Chong Shih, was born in Shanghai, China, on June 3, 1921. He is a Chinese citizen and last resided abroad in China. Dr. Lee is a physician and was admitted as a visitor for 6 months at San Francisco, Calif. on June 30, 1948, under a fellowship from the National Council of the Protestant Episcopal Church of New York City to observe American hospital management methods. He was granted extensions of his stay on June 28, 1950, when his status was changed to that of an exchange visitor under section 201 of the United States Information and Education Exchange Act of 1948. He was granted further extensions until July 1, 1952. An application for preexamination under 8 CFR 142.1 (c) was denied on May 6, 1952.

Dr. Lee's wife, Dora Ting Wei and their minor daughter, Vivian Lee, were admitted to the United States as visitors on January 24, 1949, and have received extensions of stay to July 1, 1952. Another child, Jeffrey Lee, was born in Chicago on March 27, 1952, and a third child was born in Chicago very recently.

Dr. Lee received his formal medical education and his license to practice medicine in China. He is employed as an associate pathologist at the Grant Hospital in Chicago, Ill., and his salary is $550 per month. He does not have any relatives in the United States besides his wife and three children. His mother, 2 sisters, and 2 brothers reside in China.

Senate Report No. 1820, to accompany S. 979, a bill introduced and passed by the Senate in the 83d Congress, relating to the beneficiaries reads, in part, as follows:

GRANT HOSPITAL OF CHICAGO,
Chicago, Ill., March 18, 1954.

Re James C. S. Lee, M. D.

JUDICIARY SUBCOMMITTEE ON IMMIGRATION AND NATURALIZATION,
United States Senate, Washington, D. C.

GENTLEMEN: Dr. James C. S. Lee has been a member of Grant Hospital house staff from 1948 to June 1953 and from the latter date to the present time a member of the hospital staff, during all of which time he served as a pathologist performing valuable services, which services are urgently needed and without which the Grant Hospital would suffer. Presently there are but two pathologists, one being Dr. Lee. To be fully staffed in this respect we should have four patholo-

gists. It will thus be seen that the services of Dr. Lee are indispensable since it will be exceedingly difficult to replace him with one of like experience and specialty.

Very truly yours,

COYE C. MASON, M. D.,
Chief of Staff.

JANUARY 15, 1953.

To Whom It May Concern:

I am a Chinese physician from Shanghai, China. I came into this country in June 1948 with a temporary visitor's visa to make further studies in medicine, with the intention to return in 1950. However, the fall of my hometown, Shanghai, into the hands of the Communists in 1949 interfered with my original plan with regard to my return. Instead, with the help of friends, my wife and child fled to this country in 1949, just before the Communists got into the city of Shanghai, also with a temporary visitor's visa.

Both my wife and I are from Christian families, from families that the Communists call common enemies—capitalists. My father was manager of Chong Hwa Book Co., one of the largest book stores and publishers, of the Nationalist Government. It handled all of the standard textbooks, bank notes, and Government bonds. My father-in-law is the China agent of Draper Wool Co., of Boston, and chairman of the missionary committee of the Episcopal mission, Kiangsu diocese. He is a refugee in Hong Kong and not permitted to enter Shanghai.

Both of us are educated in missionary schools in China. My wife is a graduate of the Episcopal Mission School, St. John's University, Shanghai, China. My education and training can be outlined as follows:

Graduation, June 1945, Medical School, Aurora University, Shanghai, China.
Surgical residency, 1945–48, Methodist Wuhu General Hospital, Wuhu, China.
Rotating internship, 1948–49, Grant Hospital of Chicago, Chicago, Ill.
Residency in pathology, 1949 to present, Grant Hospital of Chicago.

I was allowed extensions on my visitor's visa, with some difficulties at times, up until 1951. I was informed then that my visa had been changed to that of exchange student visa. Not knowing the details of the immigration law, I did as told. After that, several attempts for a permanent visa have failed. I was told that no change of status would be possible for anyone with exchange student visa, short of a special act of Congress.

The State Department has restrictions at the present for the return of scientists behind the Iron Curtain. The immigration law allows us to work for remuneration. However, being of the medical profession, my situation is a little different In most States, the passing of medical board examination is required to practice, and a first paper is necessary for application to board examinations.

My most pertinent reason for not being able to return, however, is my family background. As I mentioned above, both my wife and I are from families that the Communists have set themselves out to persecute and wipe out of existence, and as my father, as manager of the chief publisher of the Nationalist government, had undoubtedly made himself a chief enemy of the Communists, their hatred, and the desire for retaliation on members of our family is a hundredfold. Since the capture of the city of Shanghai by the Communists, all the news I have been able to gather about my brothers at home has been most distressing. Unwarned free censorship of all mails by the new Government made it impossible for them to give me the real picture of what is happening. The only source of any news from home is through my father-in-law, who is now taking refuge at the British colony, Hong Kong. From what I have been able to piece together, the lives of my folks at home are hung by a string. Several attempts to flee the mainland under their severe surveillance have proven fatal. The routine pattern of their treatment for us, their enemies, is a matter of being locked up; 18 hours daily questioning, during which all of your former employees can testify against you; all of which will end up with a mass hearing. The verdict of their punishment can be either one of the following three: (1) Death; (2) imprisonment for indefinite term; and (3) penalty beyond your financial ability. Whether you live or die depends entirely on their whim and fancy. All of those being persecuted are put to all kinds of insults and humiliations. Many commit suicide under the unbearable punishments and insults. For your reference, I am attaching clippings from San Francisco Chinese newspaper; recent letter from my father-in-law; letters from American friends who know us in China; a letter from our consulate here in Chicago to certify the danger of my return.

In short, I am now a refugee with no home to go to. At the same time, this Government's restriction for men of the medical profession makes it impossible

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for me to make myself of any service in the line I am prepared for, and the maintenance of a family of four is threatened.

To my knowledge, at the present time Illinois is greatly in need of pathologists. Any help you can extend on my behalf toward my securing a permanent visa and then first papers, thus to be qualified for the medical board examination, will be most deeply appreciated. Should it be made possible, I shall try my best to repay it by rendering my services to my adopted country.

For further information necessary, kindly refer to—

Dr. Michael Boley, clinical assistant professor of the Department of Gynecology and Obstretics, University of Illinois; consulting staff, Grant Hospital of Chicago.

Dr. Coye C. Mason, clinical assistant professor of the Department of Pathology, University of Illinois; director, of Uihlein Memorial Laboratory of the Grant Hospital of Chicago.

Dr. Harold A. Grimm, clinical assistant professor of the Department of Pathology, University of Illinois.

Dr. William Hutchison, medical director of Grant Hospital of Chicago.

Mr. Hans S. Hansen, administrative director of the Grant Hospital of Chicago.

Yours truly,

JAMES C. S. LEE, M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3375) should be enacted.

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Calendar No. 1564

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1541

NISAN SARKIS GIRITLIYAN AND VIRGIN GIRITLIYAN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3501]

The Committee on the Judiciary, to which was referred the bill (H. R. 3501) for the relief of Nisan Sarkis Giritliyan and Virgin Giritliyan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Nisan Sarkis Giritliyan and Virgin Giritliyan. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are 71-year-old natives and citizens of Turkey who last entered the United States on March 16, 1954, and July 6, 1951, respectively, as visitors. The male beneficiary was previously in the United States on three occasions, as a visitor. The beneficiaries reside with their son, who is a United States citizen. The female beneficiary is in extremely poor health and is unable to travel. The beneficiaries are financially secure.

Letters, with attached memoranda, dated August 9, 1954, and April 26, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9381 and H. R. 7213, which were similar bills introduced in the 83d Congress in behalf of the same beneficiaries, read as follows:

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AUGUST 9, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justic for a report relative to the bill (H. R. 9381) for the relief of Nisan Sarkis Giritliyan, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Turkey.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE NISAN SARKIS GIRITLIYAN, BENEFICIARY OF H. R. 9381

Nisan Sarkis Giritliyan is a native and citizen of Turkey, born May 15, 1884, at Kayseri, Turkey. The beneficiary last entered the United States on March 16, 1954 at New York, N. Y., as a visitor for pleasure. He has received one extension expiring on July 15, 1954. The beneficiary has had three previous arrivals into the United States at New York as a visitor on May 25, 1950, July 6, 1951, and May 12, 1952.

Mr. Giritliyan is married and lives with his son, Sahag, a United States citizen, and his wife, Virgin, who is also illegally in the United States and is the beneficiary of private bill H. R. 7213. The beneficiary has two other sons residing in the United States. One is a legal resident and the other is a student maintaining his nonimmigrant status. He also has two married daughters, one a native and resident of Turkey, and the other who has resided in Galatz, Rumania, for the past 20 years and was last heard from 5 or 6 years ago. Mr. Giritliyan has a high-school education. He is now retired and has assets of $50,000 in stocks and bonds and $15,000 in realty. He stated that he receives an annual income of $3,000 from the stocks and bonds. He owns a home in Turkey valued at $5,000. His present residence is at 1040 Mamaroneck Avenue, White Plains, N. Y.

APRIL, 26, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7213) for the relief of Vergin Giritliyan, there is attached a memorandum of information concerning the beneficiary, This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Turkey.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE VERGIN GIRITLIYAN, BENEFICIARY OF H. R. 7213

Vergin Giritliyan is a native and citizen of Turkey, born April 15, 1884. She last entered the United States on July 6, 1951, at which time she was admitted as a visitor. She received extensions of stay to January 15, 1953, and has remained in the United States beyond the period of admittance. Deportation proceedings were instituted on the ground that she failed to comply with the conditions of her status as a visitor. She was granted voluntary departure, valid to July 30, 1953. She did not avail herself of the privilege, due to extreme poor health, coronary thrombosis complicated with severe mycocardial damage, and is unable to travel.

Mrs. Giritliyan is married. Her husband, Sarkis, is residing in Istanbul, Turkey. She has 3 daughters residing in Turkey and 1 son, Sahag, a United States citizen, with whom the beneficiary resides at 1040 Mamaroneck Avenue, White Plains, N. Y. She has had no formal education, has no assets, and is supported by her son.

Congressman Charles A. Buckley, the author of the bill, submitted the following statement relating to the female beneficiary:

NEW YORK, N. Y., *June 21, 1955.*

To Whom It May Concern:

This is to certify that Vergin Giritliyan is under my care. She is a lady of 63 years and has a serious heart condition and advanced arteriosclerosis.

At the present time she is in a critical condition and since it is imperative that she remain in bed, she is not in a position to go anywhere.

(Signed) SAMUEL S. PALEY. M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3501) should be enacted.

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Calendar No. 1565

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1542

FREDA H. SULLIVAN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3723]

The Committee on the Judiciary, to which was referred the bill (H. R. 3723) for the relief of Freda H. Sullivan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Freda H. Sullivan. The bill provides for the payment of the required visa fee and for the posting of a bond as a guaranty that the beneficiary will not become a public charge. No quota charge is provided for in the bill inasmuch as the beneficiary is entitled to nonquota status.

STATEMENT OF FACTS

The beneficiary of the bill is a 30-year-old native and citizen of England who last entered the United States on December 22, 1953, to receive medical treatment for tuberculosis. On January 7, 1952, the beneficiary was married to Sgt. Larry James Sullivan, a United States citizen and member of the Air Force. It is stated that the beneficiary's condition is now arrested.

A letter, with attached memorandum, dated November 8, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 9613, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

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NOVEMBER 8, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 9613) for the relief of Freda H. Sullivan, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service file relating to the beneficiary by the Dallas, Tex., office of this Service, which has custody of the file. According to the records of this Service the correct name of the beneficiary is Freda Helen Sullivan.

The bill would grant the beneficiary permanent residence in the United States upon the payment of the required visa fee, providing a suitable bond or undertaking is posted with the Service as required by the Attorney General.

As the wife of a United States citizen Mrs. Sullivan would be entitled to nonquota status in the issuance of an immigrant visa.

Sincerely,

———————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILE RE FREDA HELEN SULLIVAN. BENEFICIARY OF H. R. 9613

The beneficiary, Freda Helen Sullivan, was born July 11, 1925, in Derby, Derbyshire, England. Her last foreign residence was No. 4 Rob Lane, Newton-Le-Willows, Lancastershire, England. She entered the United States on December 22, 1953, at New York, N. Y., being admitted for 6 months under section 212 (d) (3) of the Immigration and Nationality Act for medical treatment. She has been granted an extension of her stay to December 22, 1954. She is being treated for tuberculosis through the United States Air Force Hospital, Carswell Air Force Base, Fort Worth, Tex., and the latest report shows that if her condition continues to improve for the next 12 months as it has during the past few months that her case will be considered to be arrested.

Beneficiary completed the eighth grade in school. She thereafter worked as a machinist and as a waitress until the time of her marriage on January 7, 1952, to Sgt. Larry James Sullivan, a citizen of the United States, member of the United States Air Force. Since that time she has been supported by her husband. Mrs. Sullivan denies any arrest record, and she has an excellent reputation in the place where she has resided since coming to the United States.

S. Sgt. Larry James Sullivan, husband, is financially able to support the subject, and they have a net worth at this time of approximately $3,200. Mrs. Sullivan's parents reside in England. She states she applied for relief in order that she might remain with her husband so that he could continue his United States Air Force career.

Congressman Bruce Alger, the author of the bill, wrote to the chairman of the Committee on the Judiciary of the House of Representatives on Feburary 9, 1955, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 9, 1955.

Subject: H. R. 3723, for the relief of Freda H. Sullivan.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: Enclosed is a copy of H. R. 3723, which I introduced on February 7 for the relief of Freda H. Sullivan and which has been referred to your committee.

H. R. 3723 is an identical bill to H. R. 9613, which my predecessor, the Honotable J. Frank Wilson, introduced in the 83d Congress. I believe your files will reveal that the chairman of the committee received a report from the Commissioner of Immigration and Naturalization Service dated November 8, 1954.

I would like to add to that file a copy of a statement from the main clinic of the United States Air Force Hospital, Carswell Air Force Base, Fort Worth, Tex., dated November 10, 1954, stating that Mrs. Freda Sullivan has been reexamined

and found to have an arrested case of pulmonary tuberculosis and is free of symptoms.

May I request that my bill, H. R. 3723, be docketed for consideration.

With best wishes,

Sincerely yours,

BRUCE ALGER.

In addition, Congressman Alger submitted the following statement concerning the beneficiary of the bill:

MAIN CLINIC, UNITED STATES AIR FORCE HOSPITAL,
CARSWELL AIR FORCE BASE,
Fort Worth, Tex., November 10, 1954.

To Whom It May Concern:

Mrs. Freda Sullivan has been reexamined in this clinic and found to have an arrested case of pulmonary tuberculosis.

She is free of symptoms. Physical examination is negative. Chest X-rays show "healed subapical tuberculosis on left."

She reports regularly to the clinic and has had satisfactory recovery from her disease.

SAMUEL E. NEELY,
Captain, USAF (MC).

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3723) should be enacted.

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Calendar No. 1566

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1543

GUILLERMO PEDRAZA

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3845]

The Committee on the Judiciary, to which was referred the bill (H. R. 3845) for the relief of Guillermo Pedraza, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Guillermo Pedraza. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 38-year-old native and citizen of Spain who last entered the United States on April 21, 1952, as a visitor. The beneficiary was educated at the University of Madrid, and thereafter served as a captain in the Spanish Army. He was discharged in March 1952. His father is deceased and the beneficiary's mother is a citizen of the United States. The beneficiary is employed as an instructor at the San Rafael Military Academy, San Rafael, Calif., where officials state that he is exceptionally well qualified.

A letter, with attached memorandum, dated January 8, 1954, to the then chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to S. 66, which was a bill for the relief of the same beneficiary which passed the Senate during the 83d Congress, reads as follows:

90006°—57 S. Rept., 84-2, vol. 6——41

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JANUARY 8, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 66) for the relief of Guillermo Pedraza, there is annexed a memorandum of information from the Immigration and Naturalization Service files concerning the beneficiary.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota of Spain.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GUILLERMO (WILLIAM) PEDRAZA, BENEFICIARY OF S. 66

The beneficiary, Guillermo Pedraza, was born February 4, 1917, in Spain. He is a citizen of that country. He entered the United States as a temporary visitor at the port of New York on April 21, 1952. His application for extension of time of temporary stay was denied on August 14, 1952, and he was given until October 1, 1952, within which to depart from the United States. In November 1952 the beneficiary made application to the Mexican consul in San Francisco for a visa to enter Mexico.

On January 19, 1953, he was informed that his departure on or before February 20, 1953, would be considered satisfactory compliance with the terms of his entry. To date, he has failed to depart.

The beneficiary was educated in both Spain and England. He received a degree of bachelor of science at the University of Madrid and was enrolled in the College of Architecture when the Spanish Civil War broke out in 1936. In 1943 he attended the Spanish Army Cavalry Academy. In 1949 he graduated with a professorship in equitation from the Madrid School of Equitation. In or about the same year he obtained a professorship of mechanics at the Spanish Army Cavalry Mechanics School.

Approximately in July 1937 the beneficiary enrolled in the Spanish Foreign Legion, then the principal Franco Army. He was later commissioned a second lieutenant. After the Spanish Civil War ended, he remained in the Spanish Army. He was honorably discharged from the Spanish Army with the rank of captain in March 1952.

The beneficiary has never been married. His father died in Spain in 1927. His mother, who was born in San Francisco, Calif., returned to the United States. She has reacquired her United States citizenship, which she had lost through her marriage. She has remarried and is now residing in Grass Valley, Calif.

The beneficiary has been employed since September 1952 as an instructor at the San Rafael Military Academy, San Rafael, Calif. He resides at the academy. His supervisors at the academy have stated that the beneficiary is an exceptionally well-qualified teacher and a very welcome addition to their staff.

The beneficiary stated that some time in or about 1953 he was arrested for drunken driving, that he pleaded not guilty, and that as of May 1, 1953, his case was still pending.

All persons interviewed concerning the beneficiary by the San Francisco office of this Service spoke favorably of him.

Senate report 1288, to accompany S. 66, 83d Congress, relating to the same beneficiary, reads in part, as follows:

SAN RAFAEL MILITARY ACADEMY,
San Rafael, Calif., February 11, 1953.

Hon. PATRICK MCCARRAN,
United States Senate, Washington, D. C.

DEAR MR. MCCARRAN: This letter is written to you in behalf of Mr William Pedraza, a valued member of our faculty at the San Rafael Military Academy, San Rafael, Calif.

This letter is not being sent on Mr. Pedraza's solicitation but solely because of the interest of many people in his technical problem concerning the immigration quota from Spain. I understand that Mr. Pedraza and others have thoroughly

acquainted you with the various aspects of this problem and I shall not attempt to do so.

As superintendent of the San Rafael Military Academy I am very immediately and greatly interested in seeing Mr. Pedraza through your aid solve these problems in order that he may continue to serve this school, this community, and this country through his many special talents. We consider him to be an outstanding member of our staff, possessed of great versatility and a natural flare for the training of boys and young men. Mr. Pedraza has been a member of our staff since September 1952 and it is our wish to have him remain with us as a permanent member for the future. I believe that Mr. Pedraza shares this desire with us.

To me it would seem to be a misinterpretation of the intent and spirit of our immigration laws if the fine, technical interpretation of the law were put into effect without due consideration being given to the many assets which Mr. Pedraza could offer if he were permitted to do so. I am told that you have introduced in the Senate a special bill permitting Mr. Pedraza to remain in this country with full rights. I sincerely hope that you will be able to follow this through in order that all legal obstacles may be surmounted. If you are successful you will have conferred a very real contribution to our country and to this organization in particular by adding a substantial and valuable citizen to our population.

All past efforts which you have made in Mr. Pedraza's behalf and any future courtesies which you may be able to extend to him are most greatly appreciated by this organization and by me.

Cordially yours,

MILES SANFORD, *Superintendent.*

SULLIVAN, ROCHE, JOHNSON & FARRAHER,
San Francisco, January 31, 1953.

Subject: William Pedraza Mooser.

Hon. PAT MCCARRAN,
United States Senator,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR MCCARRAN: With respect to the desire of Mr. William Pedraza Mooser to be granted the status of permanent residence in this United States of America, my understanding is that you have heretofore been furnished a complete and detailed narrative of his background so that it is unnecessary for me, in this communication, to repeat, excepting where pertinent, the information already in your possession.

I have known the subject and been in constant contact with him during the past year, and I am well acquainted with his mother, Mrs. Dorothy Mooser de Borghrave; I also know his maternal grandfather, Mr. William Mooser, a resident of San Francisco, Calif., who, for many years, has been a prominent citizen of this State and who, by profession, is a well-known architect and designer of some of California's finest public buildings. Mrs. de Borghrave, the subject's mother, is a native of San Francisco, Calif., and an American citizen, now residing in Grass Valley, Calif. Mrs. de Borghrave was twice married; her first husband, the subject's father, was a native of Spain, for some period of time represented certain large Spanish business interests in England. The issue of this marriage was three sons, the youngest of whom is the subject of this communication. After the death of the subject's father his mother, having returned to Madrid, Spain, married the Baron Jacques de Borghrave, a native of Belgium, representing his country in Madrid. There was no issue to this second marriage of the subject's mother. Baron de Borghrave was assassinated by the Communists in Madrid during the Spanish Civil War for aiding and giving succor to refugees fleeing the Communists, among whom was Father Perez-del-Pulgar, a very famous Jesuit priest and brilliant scientist whose research first made known the atomic theory.

The record of the subject's education shows that, after reaching school age, he attended various schools in which he received a liberal education and attained the highest scholastic rating, specializing in history and science at the University of Madrid and, later, in the School of Superior Mechanics, having made a brilliant record in each phase of his training. Subsequently, after the assassination of his stepfather, he joined the Foreign Legion, passing a tank unit with promotion to sergeant major. While still quite young he was promoted to a lieutenancy (second) at the termination of the Spanish Civil War and sent on a special mission

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to the Canary Islands, thence to a cavalry unit. Due to his fine record of service, in 1941, he was sent to Russia in the fight against the Communists, being promoted to first lieutenant with an antitank unit. He was stationed in Barcelona, Spain, in 1945, after special training at the Academy of Cavalry in Valladolid, Spain, and was thereafter ordered to the Pyrenees to bring to a halt and prevent the further infiltration of Communists through the French frontier. In 1947 he was ordered to the School of Application of Cavalry where he received the professorship of equitation and mechanization; thence he was ordered to Spanish Morocco and promoted to a captaincy. This was in 1950, at which time his record qualified him for appointment to the School of Superior Mechanics where he received a professorship in 1952. All of this practical experience and training, together with wide reading, becoming an accomplished linquist and an expert draftsman, gives the subject extraordinary working knowledge of many spheres of professional activity which, together with his fine character and integrity, in my judgment, qualifies him, beyond any doubt, as the type of manhood most desirable in a citizen of this country; capable of assuming the responsibilities and fully cognizant of the privilege of such citizenship.

The subject's desire to become a citizen of his mother's native land has, since his early youth, been intensified by the memory of his father's interest in this country, the father, being a student of the principles upon which it was founded, imbued his youngest son with his personal admiration of this country's greatness, engendered by his familiarity through residence in this country for some 15 years where he followed the profession of architect in New York City. The subject, all through adolescence, was made familiar with the history of this country through his wide reading of its growth and progress. His interest in this United States of America became so intense that, early in his adult career he definitely resolved to, if possible, become a citizen of his mother's native land; and to this end, while delayed by joining the fight against the Communist movement in Europe, he studied the Constitution of the United States of America and all matters pertaining thereto in order to qualify himself for this purpose. He has enjoyed wide acquaintance with prominent Americans, both in the United States Army and in civil life, resulting in close and lasting friendships. In this determination, after the death of his father, the subject was assisted by his mother who never gave up her American citizenship or lost her interest in or contact with her native land, it being her intention to some day again take up residence in the country of her birth, which she has done and where she now resides.

One of the subject's two brothers is the European representative of the London Daily and Sunday Express, a British publication; the other brother is an official of the Standard Oil Co. of New Jersey, located in Venezuela.

I have held numerous and exhaustive conferences with the subject of this communication upon the matter of his desire to become an American citizen, and his qualifications therefor, as well as with his mother and also Mrs. Alexander McCabe, of Grass Valley, Calif., with whom his mother makes her home; and I am satisfied that the subject has a keen appreciation of the requirements and the majesty of the Constitution of the United States of America; a familiarity with the traditions of this country; and a love for it which makes for a patriotism far beyond that of many of those native to it who take its wonders and blessings for granted. This appreciation and awareness, to my mind, emphasize his outstanding qualifications for American citizenship.

The subject's mother returned to the United States from Europe several years ago to reside here permanently, joining the household of the aforementioned Mrs. Alexander McCabe, widow of the late Alexander McCabe, formerly executive confidential secretary to Hiram W. Johnson when he was Governor of California; and after Governor Johnson became United States Senator from California, Mr. McCabe was appointed insurance commissioner of the State of California, which post he held with high honor until his retirement due to ill health. Mrs. McCabe was an official in the department of motor vehicles for many years, and she and her late husband have been prominent in the official life of the State. Mrs. McCabe also desires to vouch for the subject's qualifications and fitness to become a citizen of this country.

Due to the fact that the subject's two brothers are married with the responsibility of growing families, he, being unmarried, is the only son of his mother who is in a position to support and care for his mother who, though a citizen of this country, found, through the ravages of war, her financial resources entirely dissipated and she without means of support having no one to depend on for her support other than the subject. Aside from the financial and material needs of his mother, is added to the subject's desire to become a citizen of the United

States of America his hope to be with his mother and to care for her in her latter years. In this connection, I wish to state that the important matter of the subject's ability to support himself and mother in this country, should he be granted citizenship, is assured; that there is not the slightest possibility of his becoming a burden on the state. I have been definitely informed that, due to his outstanding qualifications of education, experience, and capability, he has received offers of lucrative employment in this country to take effect immediately upon approval of his citizenship application and in the event he is accorded such opportunity. Some of these offers have come from established business in the commercial world, and others for professorships in several schools and outstanding military academies, in the latter to teach history, higher mathematics, languages, mechanical draftsmanship, and riding; his services having been solicited by these American institutions because of their recognition of his ability and character. The subject, at this writing, has a definite opening awaiting his becoming eligible for gainful employment in this country through permanent residence and citizenship, in one of the outstanding schools of California, which position will be held open for him, pending confirmation of his application for citizenship, thus assuring him the means with which to support himself and his mother.

I wish to state that I have been advised and believe that the subject is not now nor ever has been engaged in subversive activities, political or otherwise, which would be injurious to the Government of the United States of America, or its citizens; that he is not active, socially nor politically, in the life of this country other than as a member of the aforementioned Mrs. McCabe's household, although he offered the services of his knowledge and international experience to the Federal Bureau of Investigation and to the Central Intelligence Agency upon his arrival in California. These organizations are cognizant of the subject's patriotism and hold him in regard. He is a member of the Catholic Church in good standing. He has never been convicted of any offense under any law, either in Europe or in the United States of America.

If the subject's status is changed so as to permit him to permanent residence in this country, he will, as soon as legally permissible, thereafter apply for citizenship according to the laws and requirements of this country and, thereupon, assume employment as teacher in the above-mentioned field of instruction. If granted his citizenship, which he is aware will subject him to all of the responsibilities devolving upon a loyal citizen of this United States of America, including willingness to serve with the Armed Forces of this country whenever and wherever required and to fulfill all obligations of such citizenship, the subject to my own knowledge, will, with sincere intent, devote himself and his superior qualifications to this cause and for this high purpose.

On behalf of William Padraza Mooser's application for citizenship in this United States of America, I can unhesitatingly recommend affirmative action on the part of those in authority, and beg to request your kind consideration of this matter.

Very sincerely yours,

THEO. J. ROCHE.

Congressman Clair Engle, the author of the instant bill, submitted to the Committee on the Judiciary of the House of Representatives the following letters in support of the bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 24, 1955.

Hon. EMANUEL CELLER,
Chairman, House Committee on Judiciary,
House Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: Your staff informs me H. R. 3845, for the relief of Guillermo Pedraza, will soon be considered by Subcommittee No. 1.

To supplement the Senate committee report of the last Congress on this bill, I am enclosing a letter from Mr. E. M. Hinton, superintendent of the San Rafael Military Academy, in support of Mr. Pedraza. Subsequent to Mr. Hinton's letter, Mr. Pedraza was appointed dean of boys at the military academy and is serving in that capacity as of this date.

I hope the subcommittee can give early consideration to the bill and if additional information should be required please let me know.

Sincerely yours,

CLAIR ENGLE, M. C.

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SAN RAFAEL MILITARY ACADEMY,
San Rafael, Calif., February 5, 1955.

HON. CLAIR ENGLE,
Congressman,
Office Building, Washington, D. C.

DEAR MR. ENGLE: This letter is being written on behalf of Mr. William Pedraza, who is seeking to become a naturalized American citizen.

Mr. Pedraza is serving his third year as instructor and dormitory master on the staff of the San Rafael Military Academy. I have known him personally and have lived on the same campus with him for the past year and a half and have supervised his work directly. I consider him one of the finest young men I have known. His character is excellent; his deep religious conviction is quietly permeating; his general intelligence is superior; his ability and effectiveness as a teacher rate him among the best; and his general knowledge and versatility make him a most desirable individual.

Born and reared in Spain, educated in Europe, trained in the Spanish Army, traveled throughout much of the civilized world, Mr. Pedraza brings a remarkably rich and varied background with him. He has observed the techniques and influences of the political powers of Europe, Asia, and Africa.

Although a product of Europe, since early youth he has been trained in the American tradition. He understands the American way of life and subscribes to the American way of living. He speaks the language like a well-educative native American. From his attitude and conduct he has demonstrated total and unquestioned loyalty to the academy and to the basic principles of democratic living.

I can find not the slightest justification for questioning Mr. Pedraza's integrity nor for doubting that he would become as loyal to our country as anyone among us. He has caused us to have complete faith in his sincerity and sense of honor.

I am proud to have Mr. Pedraza on my staff of teachers and am equally pleased to support his petition for citizenship in the United States of America.

Very truly yours,

E. M. HINTON, *Superintendent.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3845) should be enacted.

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Calendar No. 1567

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1544

CONSTANTIN DAVID, PAULA MARIE DAVID, CLAIRE EDMONDE DAVID, AND ARIANE CONSTANCE DAVID

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3857]

The Committee on the Judiciary, to which was referred the bill (H. R. 3857) for the relief of Constantin David, Paula Marie David, Claire Edmonde David, and Ariane Constance David, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Constantin David, Paula Marie David, Claire Edmonde David, and Ariane Constance David. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are husband, wife, and two minor children, and they are 67, 46, 13 and 10 years of age, respectively, who were last admitted to the United States on April 28, 1948, as visitors under bond. The male beneficiary is a native of Turkey and citizen of France, and the female beneficiaries are natives and citizens of France. The male beneficiary received a doctor of philosophy degree from the University of Berlin and engaged in producing motion pictures in Europe. Since his admission to this country, the male beneficiary has made several motion pictures. From 1950 to 1953, he

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was employed as a professor of drama at the University of California at Los Angeles. Since May 1954, the adult beneficiaries have been operating a private language school which has an enrollment of about 60 students. The male beneficiary has a brother and sister who reside in this country and are naturalized citizens.

A letter, with attached memorandum, dated May 23, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 23, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 3857) for the relief of Constantin David, Paula Marie David, Claire Edmonde David, and Ariane Constance David, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the beneficiaries the status of permanent residents of the United States upon payment of the required visa fees. It also would direct that four numbers be deducted from the appropriate immigration quota.

The beneficiary, Constantin Davis, is chargeable to the quota of Turkey. The beneficiaries, Paula Marie David, Claire Edmonde David, and Ariane Constance David, are chargeable to the quota of France.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE CONSTANTIN DAVID, PAULA MARIE DAVID, CLAIRE EDMONDE DAVID, AND ARIANE CONSTANCE DAVID, BENEFICIARIES OF H. R. 3857

The beneficiaries, Constantin David, Paula Marie David, Claire Edmonde David, and Ariane Constance David, comprise a family group of husband, wife, and two children. The first beneficiary was born in Constantinople, Turkey, on February 18, 1888, and is a citizen of France by naturalization in March 1947. The last three beneficiaries are natives and citizens of France, born January 14, 1909, March 18, 1942, and May 15, 1945, respectively. Their last foreign residence was France. They now reside at 923 South Burlington Avenue, Los Angeles, Calif.

The beneficiary, Constantin David, graduated from the Swiss-German College, Constantinople, Turkey, in 1904 with the degree of Bachelor of Arts. He then continued his education in Berlin, Germany, last attending the University of Berlin from 1911 to 1913, graduating with the degree of doctor of philosophy. He was employed as a professor of drama at the University of California at Los Angeles from 1950 to 1953. Since May 1954, he and his wife have been operating a private language school in their own home called the International Language School, which has en enrollment of about 60 students who take from 2 to 10 hours of instruction per week. Mr. and Mrs. David are serving as instructors in the school, and in addition, they employ about 12 other instructors on a part-time basis. The combined income of the two beneficiaries from this school is $600 per month. Mr. David also lectures regularly at the Ramona Convent, Alhambra, Calif., in return for which he receives free tuition for his two children who are being educated there. Mr. David's assets consist of approximately $1,000 in a checking account in a local bank, an automobile valued at about $400 and some furniture. His only living relatives, other than his wife and two children, are a brother and sister residing in the United States. Mr. David stated that both are citizens of the United States by naturalization.

The beneficiary, Paula Marie David, attended the Notre Dame Lorette Convent School in Lyons, France, for 12 years, then she attended the Lyons Conservatory of Music from 1927 to 1929. She has no assets in her own name. She has no living relatives, other than those named as beneficiaries of this bill.

The beneficiary, Constantin David, entered the United States at New York, N. Y., on August 7, 1947, as a temporary visitor for a period of 6 months. The beneficiaries, Paula Marie David, and their two children, Claire Edmonde and Ariane Constance, were admitted at New York, N. Y., on April 20, 1948, as temporary visitors to August 9, 1948 under bond of $500. Extensions of stay were granted the beneficiaries until June 13, 1949. They failed to depart and deportation proceedings were instituted in their cases on April 19, 1950. Voluntary departure in lieu of deportation were granted the beneficiaries on May 3, 1951, in the case of Conatantin David, and on April 24, 1951, in the case of his wife and two children. On September 16, 1954, the beneficiaries were advised by this Service to effect their departure on or before November 15, 1954. On January 28, 1955, the Board of Immigration Appeals ordered that they be deported from the United States. Private legislation introduced in the 81st, 82d and 83d Congresses in their behalf has failed to receive favorable action.

Congressman Gordon L. McDonough, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified in support of the bill, as follows:

STATEMENT OF CONGRESSMAN GORDON L. MCDONOUGH IN SUPPORT OF H. R. 3857, A BILL FOR THE RELIEF OF CONSTANTIN DAVID, PAULA MARIE DAVID, CLAIRE EDMONDE DAVID, AND ARIANE CONSTANCE DAVID

Mr. Chairman, I introduced H. R. 3857 for the relief of the David family in the present Congress only after every possible effort had been made by the beneficiaries of this legislation to obtain legal residence in the United States by means of administrative relief.

Mr. David had completed 7 years of continuous residence in the United States, during 3 of which he served as a professor in the department of theater arts at the University of California at Los Angeles. Mr. and Mrs. David now conduct a private language school in Los Angeles.

Mr. David, who was born in Turkey and is chargeable to the heavily oversubscribed Turkish quota, applied for suspension of deportation under the provisions of section 244 (a) (1) of the Immigration and Nationality Act of 1952. However, his request was denied on January 28, 1955, and he now faces deportation unless legislative relief is approved.

In this case the fact has been brought out by the Immigration and Naturalization Service that Mrs. David and the two David girls are chargeable to the French quota, and could leave this country and reenter without great difficulty. However, Mr. David's situation precludes this possibility since, if he leaves the United States, he could not hope for reentry for many years, and the family would face a long and cruel separation.

The daughters of Mr. and Mrs David, aged 10 and 13, have lived most of their lives in the United States, and it would bring extreme hardship to them to be forced to leave the land they now regard as their home.

The David family has no interests in France. Mr. David's only living relatives, a brother and sister, both reside in this country and are citizens of the United States.

In view of all the circumstances in this case, I sincerely urge that this committee give favorable consideration to H. R. 3857 which will bring relief to the David family, prevent a long separation, and establish the security of a permanent home for the David children and remove the threat of deportation from the country they regard as their own.

In addition, Congressman McDonough submitted the following letters in support of the bill:

JULY 8, 1955.

Hon. GORDON L. MCDONOUGH,
House of Representatives, Washington, D. C.

DEAR MR. MCDONOUGH: Thank you so very much for your telegram. Herewith are documents in support of Mr. David's admission; I have one more letter to come from the Mother Superior of the convent the little girls attend and who is now in San Francisco. I will send it via airmail special and it too will be in your hands in time for the hearing before the Immigration Subcommittee.

I have known the David family since their arrival in the United States, August 1947, and April 1949. I met Mr. David in the course of my motion picture work.

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He came here as a visitor to make several motion pictures; as usual in the picture business the time consumed was far greater than estimated and he yearned for his family of a considerably younger wife and two little girls. When he received an extension of stay they joined him in Los Angeles.

Mr. David had much picturemaking experience in Europe but knew nothing of the involvement of producing independent pictures here. The pictures were completed, pronounced good by the critics but their distribution posed a problem that could be solved only by his remaining here to protect the American investors. All the money was recovered but meanwhile Mr. David's European field and assets were lost to him; he was nearly 60 years of age at the time and so late in life he began the desperate battle to establish a home for his family and earn their daily bread.

The enclosed documents will attest to this fine man's cultural background and attainments. In particular please note the letter from Robert Gordon Sproul, president of the University of California. He is an author, educator, and artist of note; he served in the Army of France during World War II and later distinguished himself in the underground resistance. By every means at his command since his residence here he has sought to repay his domicile by giving our younger generation the benefit of his erudition.

There is one point in particular I would like to stress; it will be suggested that the David family depart the United States and attempt to reenter under the quota. This seems a simple enough procedure, only they have not the means for an exodus. Such a move costs thousands of dollars in foreign residence while the cases are being processed; then there is the interruption to their lives, business, and the little girls' schooling. A glance at their income-tax return shows that by hard work they proudly support themselves; also, Mr. David's art contribution to the convent has earned part tuition for the children. But they have, as the bank letter shows, no reserve and it is out of question for them to depart, wait many months, and then reenter; they would starve. In my humble judgement they have earned the right to congressional relief and since the quotas involved are open or lightly oversubscribed no one will suffer by their admission.

I have long ago discovered when considering an immigration problem one cannot take a group and do full justice to all concerned; the individual is often far more important. The cases of the elder Davids are truly meritorious but we are faced with heartache when we contemplate the young ones. These little girls were 2 and 5 years of age, respectively, when brought here. They are American in every thought and deed, only American. The elder was awarded an American Legion prize for her essay, What the Pledge of Allegiance Means to Me. I enclose the original and ask the members of the subcommittee to read it. I don't believe any American can read this effort without moist eyes. This is an American child, writing about her country. Shall we send these children away from the land they love and in whose humanity they have faith?

May I add my personal plea and say I know this family intimately well; they are God-fearing, hard-working, cultured people who faced adversity bravely in our best American tradition. The children will grow up to be good American mothers. I earnestly pray the subcommittee give H. R. 3857 humane consideration and recommend that this little group of wanderers be permitted to call the United States they love, their own.

The deepest thanks of all go to you, Mr. McDonough, and with all good wishes I am,

Faithfully yours,

NICHOLAS JORY.

THE UNIVERSITY OF CALIFORNIA,
June 29, 1953.

Mr. CONSTANTIN J. DAVID,
Department of Theater Arts, Los Angeles Campus.

DEAR MR. DAVID: It becomes my privilege at this time of year to extend, on behalf of the university, an expression of the gratitude felt at this institution for the contributions to its life that have been made by the members of the faculty who are retiring from active service. Sometimes this service represents 10, 20, or 30 years in a teacher's life; sometimes a working lifetime. In your case, the service has lasted for only 3 years, but we are sincerely appreciative, nonetheless. It stands, according to university records, for half your lifetime in this country—a generous share of your effort. Bringing with you from Europe

experience in more than one medium in the world of art, you have been able to supplement and enrich the department of theater arts at this university, and I want you to know that we are grateful.

No doubt you will continue to add stimulating experiences to a career that has been full and creative. I hope you will not forget, in so doing, that the university wishes you well.

May good health and good fortune attend you.

Yours sincerely,

ROBERT G. SPROUL, *President.*

P. S.—It gave Mrs. Sproul and me great pleasure to meet you and Mrs. David in Los Angeles on Commencement Sunday.

INTERNATIONAL LANGUAGE SCHOOL,
Los Angeles, Calif., June 28, 1955.

Mr. NICHOLAS JORY,
Beverly Hills, Calif.

DEAR SIR: In complete sympathy with your interest in the admission of Mr. and Mrs. Constantin David to the United States, I write you this letter to tell you that I have known them for 5 years. Since July 1951 they have been employed as members, in good standing, of the regular teaching staff of the International Language School.

Since May 1, 1954, because of my illness, it was necessary to place someone at the head of the school, of which I am sole owner, to take over my responsibilities as manager. After carefully checking all my staff and acquaintances, I definitely decided that, because of their proven character, solid religious belief, attitude toward their children and fellow man, I could not have anyone representing me who would fill my place more efficiently than they would. I have full confidence in their work and integrity. They are now filling that post at the International Language School to the fullest satisfaction.

In closing, permit me to say that I am a native-born United States citizen. I wish to take opportunity to express complete approval of your effort, because I, too, feel that the Davids will make fine American citizens, and, if I can be of any help, please call on me.

Very truly yours,

A. H. DOHERTY, *Manager.*

WILLIS & CHRISTY,
Los Angeles, Calif., July 1, 1955.

Mr. NICHOLAS JORY,
Beverly Hills, Calif.

DEAR MR. JORY: This letter will serve to identify my acquaintance with Dr. Constantin David, whom I have known for about 4 years. This acquaintanceship has been in part social and in part business.

I have worked with him in the study of languages, and he is both a fine linguist and an excellent teacher. Dr. David's principal background, however, is in art, in which he has had experience as an educator and is also an artist of recognition.

I would be glad to vouch for Dr. David's character and integrity.

Very truly yours,

HENRY PAUL WILLIS.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3857) should be enacted.

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Calendar No. 1568

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1545

ESTHER LEDEA ESCOBEDO

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3869]

The Committee on the Judiciary, to which was referred the bill (H. R. 3869) for the relief of Esther Ledea Escobedo, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provisions of existing law relating to one who admits the commission of a crime involving moral turpitude and one who obtains a visa by fraud or misrepresentation in behalf of the wife of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of Cuba, who presently resides in that country. She entered the United States on June 16, 1950, as a visitor, and departed under a voluntary departure order on February 18, 1952. The record discloses that on May 6, 1950, the beneficiary was married to Gerardo Escobedo, who was naturalized a citizen of the United States on December 21, 1953. Prior to her marriage, the beneficiary received a Cuban passport, which she presented to the American consul, subsequent to her marriage, to obtain a visitor's visa, and represented herself to be single. She executed an affidavit before an officer of the consular service and swore she was coming to this country to visit a friend

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and gave false information as to her destination. On February 20, 1952, the beneficiary was refused an immigrant visa as one who admits the essential elements of perjury, a crime involving moral turpitude and one who has procured a visa by fraud and misrepresentation. Without the waivers provided for in the bill, the beneficiary will be unable to join her citizen husband in this country.

A letter, with attached memorandum, dated June 28, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 8186, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

JUNE 28, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8186) for the relief of Esther Silvera Escobedo, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files. According to the records of this Service the correct name of the beneficiary is Esther Maria Ledea Escobedo.

The bill would waive the provisions of the Immigration and Nationality Act which exclude from admission into the United States aliens who admit having committed a crime involving moral turpitude and aliens who have procured a visa or other documentation or seek to enter the United States by fraud or by willfully misrepresenting a material fact, and would grant the alien permanent residence if she is found to be otherwise admissible. It also provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ESTHER SILVERA ESCOBEDO, BENEFICIARY OF H. R. 8186

According to the records of this Service, the correct name of the beneficiary is Esther Maria Ledea Escobedo.

The beneficiary, a native and citizen of Cuba, was born on October 26, 1926. She entered the United States as a visitor on June 16, 1950, at Miami, Fla., by air. On October 9, 1950, she was served with a warrant of arrest based on the charge that as a visitor she had remained in the United States for a longer period of time than permitted. This was her only entry into the United States. She was granted voluntary departure and so departed to Cuba on February 18, 1952.

The following information concerning the beneficiary was obtained from her husband, Gerardo Escobedo. He was born on September 29, 1924, and became a citizen of the United States through naturalization on December 21, 1953.

The beneficiary attended elementary school for 5 years and studied at the Institute of Cuba for 2 years in her native country. She is unemployed and resides in Jiguani, Cuba, with her parents and a sister and five brothers, all citizens of Cuba. She has a brother, Felipe Ledea, residing in New York City. As a visitor she resided in the United States from June 16, 1950, to February 18, 1952. She has a joint savings account with her husband of about $500. She has no other assets. She has no criminal record.

Prior to marriage, which occurred on May 6, 1950, she received a Cuban passport. She presented it to the American consul, subsequent to her marriage, to obtain a visitor's visa. She represented herself to be single when in fact she was married. She followed the advice of friends who told her there would be less delay in coming to the United States if she related that she was single rather than married inasmuch as the passport indicated she was single. Because of this she was denied an immigration visa when she applied in March 1952.

Mr. Escobedo was educated in Cuba for a period of 7 years. He is employed as a waiter, receiving a salary of $30 which is supplemented by tips. His assets con-

sist of the joint account with the beneficiary and personal effects valued at $2,000. He values his assets abroad at $1,000.

He has 2 sisters residing in the United States, 1 of whom resides with him. His mother, 4 sisters, and 4 brothers reside in Cuba.

In addition, the Director of the Visa Office, Department of State, submitted the following report relating to the case:

DEPARTMENT OF STATE,
Washington.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of March 3, 1955, and its enclosures, wherein you requested a report of the facts in the case of Esther Ledea Escobedo, beneficiary of H. R. 3869, 84th Congress, 1st session.

You are informed that the Department has received information from the American consulate at Santiago de Cuba, Cuba, that the alien executed an application for a nonquota immigration visa at the consulate on February 20, 1952, and that a visa was refused her under the moral turpitude clause of section 3 of the act of February 5, 1917, as amended. In this connection, it may be stated that Mrs. Escobedo executed an affidavit before an officer of the consulate at Santiago de Cuba in which she stated that she had executed an application for a nonimmigrant visa at the consulate on May 29, 1950; that she knowingly swore falsely in such application that she was proceeding to the United States temporarily to visit a friend; that in supplementing her application she submitted letters of recommendation stating that she was single, and that she also gave false information as to her destination in the United States.

Mrs. Escobedo admitted that she deliberately misinformed the consulate about her marital status, the purpose and length of time of her visit and her destination in the United States, explaining that she predicated her action upon a belief that she could obtain a visa easier if she withheld information that she was married and was joining her jusband in the United States, who she alleged was in a poor financial condition.

In view of Mrs. Escobedo's perjurious statements before a responsible consular officer, a nonquota visa was refused her, as previously indicated, on the ground that she had admitted the essential elements constituting an offense involving moral turpitude, namely, perjury.

As the facts admitted by Mrs. Escobedo in obtaining a nonimmigrant visa on May 26, 1950, constitute a willful misrepresentation of material fact she would also be ineligible to receive a visa under the provisions of section 212 (a) (19) of the Immigration and Nationality Act.

At this time the Department has no knowledge of any factor in Mrs. Escobedo's case, other than the information hereinbefore cited, which would render her ineligible to receive a visa. However, it should be borne in mind that any other ground of inelibibility which may come to light prior to visa issuance would preclude Mrs. Escobedo from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3869) should be enacted.

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Calendar No. 1569

84TH CONGRESS, 2d Session — SENATE — REPORT No. 1546

ASHOT MNATZAKANIAN AND OPHELIA MNATZAKANIAN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3963]

The Committee on the Judiciary, to which was referred the bill (H. R. 3963) for the relief of Ashot Mnatzakanian and Ophelia Mnatzakanian, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Ashot Mnatzakanian and Ophelia Mnatzakanian. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are a 35- and 24-year-old husband and wife who are natives of Iran and Russia, respectively, and citizens of Iran. The male beneficiary last entered the United States on September 20, 1951, as an exchange student, and the female beneficiary was admitted to this country on June 3, 1952, as a visitor.

The male beneficiary received the degree of an architectural engineer from the University of Teheran in 1946, and was employed by the American point 4 office in Iran, in conjunction with the United States Army, as chief sanitarian for about 3 years. Subsequent to his entry into this country, he attended Johns Hopkins University until October 6, 1953, and is now employed as a mechanical installation and layout engineer. The female beneficiary is a housewife. The

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beneficiaries are parents of twin sons who are citizens of the United States.

A letter, with attached memorandum, dated April 26, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 7571, which was a bill introduced in the 83d Congress for the relief of the same beneficiaries, reads as follows:

APRIL 26, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7571) for the relief of Ashot Mnatzakanian and his wife, Ophelia Mnatzakanian, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Baltimore, Md., office of this Service, which has custody of those files.

The bill would grant these aliens the status of permanent residents of the United States, upon payment of the required visa fees and head taxes. It also directs that two numbers be deducted from the appropriate immigration quota. It should be noted, however, that the Immigration and Nationality Act does not require payment of a head tax.

The male beneficiary is chargeable to the quota of Iran. The female beneficiary to the quota of the Union of Socialist Soviet Republics.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ASHOT MNATZAKANIAN AND HIS WIFE, OPHELIA MNATZAKANIAN, BENEFICIARIES OF H. R. 7571

Ashot Peter Mnatzakanian, also known as Ashot Petrose Mnatzakanian, an Iranian subject, was born in Tabriz, Azerbaejan, Iran, on May 1, 1920. His last residence abroad was in Teheran, Iran. He entered the United States at New York, N. Y., on September 20, 1951, which was his only entry to the United States. He was admitted as an exchange student and attended Johns Hopkins University, Baltimore, Md. He received extensions of stay, the last of which expired on February 28, 1954. It now appears that he is amenable to deportation proceedings.

Mr. Mnatzakanian attended Johns Hopkins University from September 27, 1951, to October 6, 1953. During this period he was also employed by the Maryland Well Drilling Co., Baltimore, Md., September 1952 to December 1952; Henry S. Sanders, architect, Baltimore, Md., from January 1953 to April 1953; Hal A. Miller, architectural engineer, Baltimore, Md., April 1953 to August 1953; and by the Norair Engineering Corp., Washington, D. C., October 1953 to date. This employment is in violation of the terms of his entry into the United States. He is presently continuing in his employment with the Norair Engineering Corp., 1122 22d Street NW., Washington 7, D. C., as a mechanical installation and layout engineer and is earning $300 per month.

He owns no property in the United States, has no stocks or bonds, has $50 in a savings account, and is not indebted to anyone. Mr. Mnatzakanian is married and has his wife and two United States citizen children dependent upon him for support. His children (twins) were born at Baltimore, Md., June 3, 1953. His wife, a citizen of Iran, was admitted to the United States as a temporary visitor.

He has the following relatives (cousins) residing in the United States:

Mrs. Ophelia Aivizian, 156 Poinsetta St., Los Angeles, Calif.;
Victor Aftandilian, 3 Chemistry Annex, University of Illinois, Urbana, Ill.;
Norair O'Hanian, Austin, Tex;
Harair O'Hanian, Detroit, Mich.:
Edward Kocharian, 701 K Street NW., Washington, D. C.

His widowed mother lives in Teheran, Iran, is a citizen of Iran, and has never been to the United States. Mr. Mnatzakanian has always lived in Iran. He attended the University of Teheran, Iran, from 1940 to 1946, and received a degree as an architectural engineer. He received a first-class medal (science) from the

Minister of Education, Iran, and letters of merit from the chairman of committee of the Iranian Red Cross for outstanding work done toward construction of public buildings in Iran. He received a month's training on sanitary engineering (in conjunction with the U. S. Public Health Service) in Teheran, Iran, and was employed by the American Rockefeller Foundation and the American point 4 office in Iran (in conjunction with the U. S. Army) for approximately 3 years, as chief sanitarian.

Ophelia Mnatzakanian, also known as Ofelia Hartoun Nejad Martirossian, an Iranian subject, was born in Bakou, Russia, on March 11, 1931. Her last residence abroad was in Teheran, Iran. She entered the United States at New York, N. Y., on June 3, 1952. She was admitted as a temporary visitor for 6 months. This is her only entry to the United States. She has received extensions of stay the last of which expired March 3, 1954. It now appears that she is amenable to deportation proceedings.

Mrs. Mnatzakanian pursued a course in typing in evening classes at City College, Baltimore, Md., for a period of 2 months. Her occupation is that of a housewife. She is married to Ashot Mnatzakanian, and she and their two children are dependent upon him for support. She has a cousin, Edward Kocharian, 701 K Street NW., Washington, D. C. Her mother and father, citizens of Iran, live in Teheran, Iran. They have never been to the United States.

Mrs. Mnatzakanian was born in Russia, and when she was 6 years old, she and her family returned to Iran. She resided there until she came to the United States. She attended high school in Iran and received a diploma.

Congressman Samuel N. Friedel, the author of the bill, submitted the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 14, 1955.

Re Mnatzakanian, Ashot and Ophelia, H. R. 3963

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee,
House of Representatives, Washington, D. C.

DEAR MANNIE: On January 27, 1954, I introduced H. R. 7571 on behalf of the above-named immigrants who are presently residing in Baltimore, Md., and on April 26, 1954, the Judiciary Committee received the necessary report from the Immigration and Naturalization Service of the Department of Justice. On May 19, 1954, the Honorable Chauncey W. Reed advised me that the bill was being docketed for consideration. However, this bill was not considered by the Judiciary Committee during the last Congress.

On February 10, 1955, I reintroduced this bill, H. R. 3963, on behalf of Mr. and Mrs. Mnatzakanian because I feel that is is a worthy case deserving of consideration. Mr. Mnatzakanian entered the United States as a student on a World Health Organization grant and received funds for 1 year's education. Mr. Mnatzakanian understood that upon completion of his training he would be given employment in the Ministry of Health in Iran. In this connection I am enclosing a letter which you will find self-explanatory.

Mr. and Mrs. Mnatzakanian are the parents of twin sons who are American citizens and it would work an extreme hardship on these children if he were forced to return to Iran now without prospects for employment. Therefore, I am most anxious to obtain action on my bill, H. R. 3963 to enable them to stay in this country. From the 26 letters of recommendation I have received on behalf of Mr. and Mrs. Mnatzakanian I feel sure they would make ideal American citizens.

Therefore, I will greatly appreciate it if your committee could arrange to schedule H. R. 3963 for early consideration.

Thanking you for your favorable action in this manner, and with warmest personal regards, I am,

Sincerely,

SAMUEL N. FRIEDEL.

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THE ROCKEFELLER FOUNDATION,
DIVISION OF MEDICINE AND PUBLIC HEALTH,
New York, July 19, 1952.

Mr. ASHOT P. MNATZAKANIAN,
In care of School of Engineering,
Johns Hopkins University, Baltimore, Md.

DEAR ASHOT: I was awfully glad to receive your letter of July 12 and am delighted to learn that you have found your stay in the United States both profitable and pleasant.

I am inclined to agree with your philosophy both as to the need for well-trained sanitary engineers in Iran and as to the length of time necessary to accomplish this training. I am dubious, however, about the possibility of your obtaining a 6-month grant from the Rockefeller Foundation. I write this from a personal and nonofficial point of view but I believe that, since the WHO granted you your original fellowship, they should likewise provide you with an extension, if, in their opinion, such is indicated. If, for one reason or another, the WHO were unable to grant you an extension, I think point 4 has some obligation in that you did work previously under Dr. Palmquist and Mr. Aldrich. An additional and perhaps more important factor is that point 4 has the largest current health program in Iran of all the outside agencies.

Another consideration is that an extension of your present fellowship would probably depend on a guaranty that you would be employed by some Government agency on your return to Iran. I was disappointed to learn that the Ministry of Health had not lived up to its original agreement in this regard and I gather that, should you return to Iran now, you would have to hunt around for a job. I think your suggestion about the university school of engineering is a good one. In fact, if you did have a guaranty from the dean of the university that you would be offered a teaching appointment in environmental sanitation as soon as you returned from the United States, your chances of obtaining an extension of your fellowship would be much better.

In the event that you fail to obtain an additional grant from either the WHO or point 4, I would be glad to submit your request to Dr. Payne, the fellowship adviser of the division of medicine and public health of the research foundation. I cannot speak for either the WHO or point 4 but am quite sure that the chances of obtaining an extension from the research foundation would be negligible unless you had a firm guaranty of a Government or university position to return to.

I have had several communications from Dr. Mashayehki who is now working in the Curative Section of the Ministry of Health. Aside from these, I have little news of our ex-staff in Iran but hope that one day I shall see them all again.

I sincerely hope you can get your extension and that you will be able to return to a responsible position. My very best regards, and let me know what transpires.

Sincerely,

GUY HAYRE.

NORAIR ENGINEERING CORP.,
Washington, D. C., March 11, 1955.

Re Ashot Peter Mnatzakanian, H. R. 3963.

Hon. FRANCIS E. WALTER,
Chairman, House Immigration Committee,
Old House Office Building, Washington, D. C.

DEAR SIR: Ashot Peter Mnatzakanian has been employed in our organization for more than a year as an architect and engineer and we have found his work to be very satisfactory. He is able, honest, and a very satisfactory worker.

At the present time, there is a great shortage of engineers in this country and his services are greatly needed. I feel that a young man of his background and education would be an asset to this country. I would recommend highly that his application for citizenship be favorably considered.

He is the father of American-born twins and I understand as the parent of American-born children, he is also entitled to be made a citizen.

Anything you can do toward his case would be greatly appreciated.

Yours respectfully,

H. NORAIR, *President.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3963) should be enacted.

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Calendar No. 1570

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1547

MAX MOSKOWITZ

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3965]

The Committee on the Judiciary, to which was referred the bill (H. R. 3965) for the relief of Max Moskowitz, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who admits the commission of a crime involving moral turpitude in behalf of the father of two United States citizen sons.

STATEMENT OF FACTS

The beneficiary of the bill is a 71-year-old native of Hungary, now stateless, who presently resides in a displaced persons camp in Austria. The beneficiary entered the United States on May 16, 1903, for permanent residence, and on February 6, 1913, was naturalized a citizen of the United States. On November 22, 1934, the beneficiary's certificate of naturalization was canceled as within 5 years after the issuance of the certificate he established a permanent residence in his native country. The beneficiary has been refused a visa on the ground that he admitted that on February 27, 1928, he knowingly made before a consular officer at the legation, false statements under oath, which resulted in the fraudulent entry of an impostor into the United States. The statements were made in connection with an application for an American passport in the name of his son. The

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beneficiary's three sons reside in this country. Two are native-born citizens, and one is a lawful permanent resident. Without the waiver provided for in the bill, the beneficiary will be unable to join his children in this country.

A letter, with attached memorandum, dated October 8, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 8242, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

OCTOBER 8, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8242) for the relief of Max Moskovitz, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would waive the provisions of section 212 (a) (9) of the Immigration and Nationality Act which excludes from admission to the United States aliens who have been convicted, or admit commission, of a crime involving moral turpitude. The bill would also grant the beneficiary permanent residence in the United States if he is found to be otherwise admissible.

The beneficiary is chargeable to the quota of Hungary.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MAX MOSKOWITZ, BENEFICIARY OF H. R. 8242

The records of this Service disclose that Max Moskowitz, who has also been known as Max Moskovitz, was born December 23, 1883, at either Sztropho or Nagy Dobra, Hungary. He entered the United States May 16, 1903, at the port of New York, and, on February 6, 1913, was admitted to United States citizenship before the Supreme Court of New York State at New York, N. Y. On November 22, 1934, the beneficiary's certificate of naturalizatioh was canceled as within 5 years after the issuance of the certificate he established a permanent residence in his native country.

The following information relative to the beneficiary was furnished by his son, Sidney Moskowitz, the sponsor of the bill.

Max Moskowitz, who is stateless, has been refused a visa by the American consulate at Budapest, Hungary, on the ground that he is a person who has committed a crime involving moral turpitude. The crime is alleged to be false statements made by the beneficiary before the same consulate in 1928, upon which a United States passport was issued to a person not entitled to such a document. In connection with the alleged crime, the committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure further information.

The beneficiary is married to Esther Schwartz, a native of Hungary, who is also stateless. They reside at a displaced persons' camp in Austria. He has 3 sons residing in the United States, 2 are citizens and the third a permanent resident. His only other close relative is his brother, of unknown nationality, residing in Portugal.

The sponsor of the bill was born February 10, 1908, in the City of New York. He departed from the United States about 1914 and reentered as a United States citizen during 1928. He is married to Ruth Schwartz, a naturalized United States citizen, and has one United States born female child. He is employed as a hairdresser earning approximately $5,500 annually. He claims assets of $4,350. The sponsor has stated that he and his brothers will support the beneficiary after his entry to the United States.

In addition, the Director of the Visa Office, Department of State, submitted the following report concerning the beneficiary:

DEPARTMENT OF STATE,
Washington, March 18, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Reference is made to your letter of March 9, 1954, and its enclosures, wherein you request a report of the facts in the case of Mr. Max Moskowitz, beneficiary of H. R. 8242, 83d Congress, 2d session.

The Department has on file a communication from the American legation at Budapest which reports that when Mr. Moskowitz was examined on July 15, 1947, to determine his eligibility to receive a visa, he admitted that on February 27, 1928, he knowingly made, before a consular officer at the legation, false statements under oath which resulted in the fraudulent entry of an impostor into the United States. These statements were made in connection with an application for an American passport in the name of his son.

The crime of perjury has been held to involve moral turpitude within the meaning of section 3 of the act of February 5, 1917, as amended, and is also considered to involve moral turpitude within the meaning of section 212 (a) (9) of the Immigration and Nationality Act, which repealed the act of Feburary 5, 1917, and certain other immigration laws. The section last cited renders ineligible to receive visas and excludable from the United States aliens who have been convicted of, or admit having committed, a crime involving moral turpitude. As a consequence, the responsible consular officer would have no choice under the law but to withhold the issuance of an immigrant visa to Mr. Moskowitz.

At this time the Department has no knowledge of any factor in Mr. Moskowitz's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr Moskowitz from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Congressman Lester Holtzman, the author of the bill, submitted the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 5, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR COLLEAGUE: I have been requested by Mr. Sidney Moskowitz of 137–33 70th Road, Flushing 67, Long Island, N. Y., a resident of my congressional district, to introduce a private bill to enable his father, Max Moskowitz, to come to the United States.

Evidently Mr. Moskowitz was an American citizen when he returned to Hungary in 1913 with his family, to see his dying mother. World War I stranded them in Europe, and Mr. Moskowitz subsequently became the sole support of his totally blind father. In the meantime, in 1928, Sidney Moskowitz returned to the States, and since then his other two brothers have come back to the country and they are residing here as citizens. Mrs. Moskowitz can return but prefers to stay with her husband until such time as he can secure permission to reenter. He was refused a visa on the grounds that he made certain false statements under oath, which resulted in fraudulent entry of an impostor into the United States. This was committed 25 years ago, Mr. and Mrs. Max Moskowitz suffered deprivations during the war, and have been living at a DP camp in Austria since the end of World War II. Their 3 sons as indicated above reside in the United States, and are anxious to have their parents, now in their seventies, join them.

I have introduced H. R. 8242 in Mr. Moskowitz' behalf, and the bill has been referred to your committee for consideration.

I shall appreciate your requesting reports on this legislation, and if in the opinion of the committee, after these reports have been received, it is possible to consider this bill, I shall be grateful.

Thanking you in advance for your kindness in this connection, and with best wishes, I am,

Sincerely yours,

LESTER HOLTZMAN, *Member of Congress.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 18, 1955.

Hon. FRANCIS E. WALTER,
Chairman, Subcommittee No. 1, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR COLLEAGUE: I am sending you, herewith, a communication I have just received from Mr. Sidney Moskowitz, of 137–33 70th Road, Flushing 67, Long Island, N. Y., a resident of my congressional district, who is most anxious to bring his father Max Moskowitz, to this country.

I have introduced H. R. 3965 in behalf of Mr. Moskowitz, and I believe that the enclosed letter will set forth in detail the circumstances surrounding this particular case. This couple is old, and I believe that they have suffered considerably as a result of the false statements made by Mr. Moskowitz over 27 years ago before an American consular officer in Budapest, Hungary.

I shall deeply appreciate you looking into this particular matter for me with a view toward giving the same your favorable consideration at this time, if at all possible, and waiving the excludability clause in this instance, so that Mr. and Mrs. Moskowitz may join their family in this country for the few remaining years of their lives.

Thanking you in advance for your kindness in this connection, and with best wishes, I am,

Sincerely yours,

LESTER HOLTZMAN.

JULY 14, 1955.

Hon. LESTER HOLTZMAN,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: In reference to your letter of July 13, 1955, we are submitting a notarized statement, copy of original letter we sent you on May 10, 1953. We hope this will furnish the information you requested.

I am Sidney Moskowitz, residing at 137–33 70th Road, Flushing, Long Island.

In reference to our telephone conversation on May 1 in which I appealed to you for help to remedy an unfortunate situation whereupon you suggested I put everything in writing. So I am doing it as short and understandable as possible.

Our situation is indeed a very unfortunate one. We are 3 brothers—2 of us born citizens, living here in the United States of America struggling in the last decade to bring our very old parents over to the States, who are living in a DP camp in Asten, Bei Linz, Austria, in the American Zone, but all our efforts a failure on account of a false statement my father had made 25 years ago.

In connection with this offense, enclosed herewith is copy of two official letters which will be more explicit to you.

To win your sympathy, I will have to tell the whole story from the beginning.

My father, Max Moskowitz, was an American citizen, went to Hungary with his family to visit his dying mother in 1913. The family was stranded there during the First World War. By the end of the war she became an essential means to his totally blinded father. Meanwhile we children grew up. When I reached the age of 20 in 1928 I was very much discouraged with the European way of life and having heard so much about America, a tremendous desire urged me to return to the States, the place of my birth and the country of freedom. My father did not like the idea of letting me go alone—refused to sponsor me with the excuse that we will all come back very soon. My disappointment was so great that I let a friend of mine who only wanted to make a short visit in the States persuade me to let him use my brother Ernest's papers and in return he would take care of my expenses. We did everything behind my father's back, figuring that he had time to find it out when I said "goodbye." Everything was prepared and ready for the voyage when the American consul summoned my father to identify us. He was perplexed of course but we pleaded with him. I used the most drastic weapon against him that I would rather have done away with myself than resign from this trip. Finally my father gave in to me. He was figuring with his commonsense that the consequences cannot be so great because actually no harm can come to anybody and it is only a formality. My confederate legalized his stay here, never went back to Hungary as he was supposed to do. A couple of years later everything was revealed, when my brother, Ernest applied for his passport. My father admitted his guilt. Sentence was exclusion from the States.

Now I would like to say my plea if I may. Every human being is liable to make a mistake. We made our mistake and conscientiously faced the consequences. Twenty-five years passed since, all three of us, his sons, are living here in America. My mother can enter the country any time but she is staying alongside of father. Father never took up citizenship of any country. The Second World War came. It is needless to say what they have gone through being tossed around in Nazi concentration camps, fleeing from Iron Curtains and countless humiliations. Finally they wound up stranded in a DP camp in Asten, Austria. They grew very old and weary by now. Father 72 (now 75,) mother 74 (now 77) years of age. They want nothing else in life only to spend their remaining days with their children. Maybe not even so much, just rest. Perhaps their whole life doesn't mean anything to them any more, just hanging on to it for our sake, but their life means everything to us and especially for me because I am the one who feels responsible for this cause.

We realize that the mistakes we make have to be paid for. Was this mistake of my father's so great that it can never be corrected? Or made good? Or never prescribed? Never forgiven? Sometimes even a murderer gets pardoned or paroled on good behavior. What shall we do now? What are we expected to do now? Simply abandon our parents? What is this civilization supposed to do about it? Let two old people get lost in the world to be perished somewhere in a DP camp?

These consequences turned out to be too cruel and inhuman. We believe the law is not aimed to take such a drastic measure. This tragic situation affects our entire lives, our state of mind. Our conscience cannot take it any longer. In our despair we simply must cry out to you, Mr. Congressman, and to whom it may concern, for help and advice to remedy this situation.

We lay our last hope in you, Mr. Congressman, that this story of ours will reach your heart and with all your heart you will try to help us to a solution that enables us to reunite this torn apart and tormented family once again.

We are hoping to hear from you soon. We remain ever grateful.

Sincerely yours,

SIDNEY MOSKOWITZ
(For the three sons).

Sworn to before me a notary public of Queens County this 13th day of July 1955.

MURRAY B. SILBERMAN,
Notary Public, State of New York.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3965) should be enacted.

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Calendar No. 1571

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1548

ZABEL VARTANIAN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4185]

The Committee on the Judiciary, to which was referred the bill (H. R. 4185) for the relief of Zabel Vartanian, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Zabel Vartanian. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 60-year-old native of Turkey and last a resident of France who last entered the United States on July 31, 1950, as a visitor. She now claims to be stateless. She is a widow and resides with and cares for her United States citizen son, who has been under treatment for tuberculosis. In addition, the beneficiary has another son who is a legal resident, who provides her support, and 2 United States citizen sisters, 1 of whom contributes to her support.

A letter, with attached memorandum, dated June 3, 1955, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

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DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 3, 1955.

HON. EMMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 4185) for the relief of Zabel Vartanian, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y. office of this Service which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Turkey.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ZABEL VARTANIAN, BENEFICIARY OF H. R. 4185

The beneficiary, Zabel Vartanian, a native of Turkey and last a resident of France, was born on April 12, 1896. She claims to be stateless. She is a widow and resides at 445 East 166th Street, Bronx, N. Y. Mrs. Vartanian is unemployed and has no assets. She is supported by relatives in the United States.

The alien attended school for 5 years in her native Turkey. Prior to coming to the United States, she resided in France for approximately 29 years. Mrs. Vartanian has 2 sons in the United States, 1 a citizen and the other a legal resident alien. She also has two United States-citizen sisters. Her closest relative abroad is a sister who resides in France.

The alien arrived in the United States on July 31, 1950, at New York, N. Y., and was admitted as a visitor for 3 months. She subsequently received extensions, the last of which expired on April 22, 1953. Deportation proceedings were commenced on June 10, 1953. On August 25, 1953, after a hearing, she was granted voluntary departure with the alternative of deportation if she failed to depart. To date, she has failed to comply with this order.

Private bill H. R. 4563 was previously introduced in the beneficiary's behalf on April 14, 1953, in the 83d Congress.

Congressman Sidney A. Fine, the author of the bill, submitted the following letter in support of the bill:

BRONX, N. Y., *March 2, 1955.*

To Whom It May Concern:

This is to certify that Mr. Victor Vartanian is still under treatment and observation for his lung condition. There has been no recurrence of the disease since his pneumectomy but he still requires the care his mother can give him so that he will maintain his health which is still in delicate balance.

His mother is in this country on a visitor's pass. I understand that her pass will soon expire. I would suggest that the permit be renewed so that she may remain and continue to care for her son.

Yours truly,

I. B. RADOW, M. D.

In addition, the files of the Senate Committee on the Judiciary contain several letters attesting to the beneficiary's good moral character.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4185) should be enacted.

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Calendar No. 1572

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1549

GIOVANNI LAZARICH

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 5866]

The Committee on the Judiciary, to which was referred the bill (H. R. 5866) for the relief of Giovanni Lazarich, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Giovanni Lazarich. The bill provides for a visa deduction under section 4 (a) (5) of the Refugee Relief Act, as amended, and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 31-year-old native and citizen of Italy, who last entered the United States on May 27, 1950, as a seaman. The beneficiary's father came to this country in 1924, and was naturalized a citizen on October 23, 1950. His mother was admitted to the United States for permanent residence in November 1947. The beneficiary's parents are in ill health and the beneficiary is needed to assist in their care. He is employed as a salesman auditor for Group Health Mutual Insurance Co., and is continuing his education at the University of Minnesota.

A letter, with attached memorandum, dated May 2, 1952, to the chairman of the Committee on the Judiciary of the House of Repre-

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sentatives from the Deputy Attorney General with reference to a bill then pending for the relief of the same beneficiary, reads as follows:

MAY 2, 1952.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 1833) for the relief of Giovanni Lazarich, an alien. The bill would cancel deportation proceedings against Mr. Lazarich and grant him permanent residence in the United States.

A memorandum of information prepared by the Immigration and Naturalization Service of this Department concerning the facts in the case is enclosed.

Since the quota of Italy, to which Mr. Lazarich is chargeable, is oversubscribed, a quota immigration visa is not readily obtainable in his case. The record fails, however, to present considerations sufficient to justify the enactment of special legislation granting him an exemption from the requirements of the immigration laws. Furthermore, the problem of deserting seamen is a serious one and to enact this legislation in behalf of Mr. Lazarich who deliberately violated our immigration laws would undoubtedly encourage others, in whose cases immigration visas are not readily available, to enter the United States as seamen, thereafter desert their vessels and then attempt to remain permanently in this country.

Accordingly, the Department of Justice is unable to recommend enactment of the measure.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GIOVANNI LAZARICH, BENEFICIARY OF H. R. 1833

Giovanni Lazarich, a native and citizen of Italy, was born on April 19, 1924. He arrived in the United States at New York on May 27, 1950, and was admitted as a seaman for the length of time his vessel remained in port but not to exceed 29 days. He failed to reship and proceeded to the home of his parents in St. Paul, Minn.

On November 15, 1950, a warrant of arrest in deportation proceedings was issued against the alien, charging that he was illegally in the United States in that at the time of entry he was an immigrant not in possession of a valid immigration visa and was not exempt from the presentation thereof. He was subsequently granted the privilege of departing from the United States voluntarily in lieu of deportation. Mr. Lazarich has failed to depart.

The alien testified that he resided in Italy with his mother until November 1947, when she entered the United States for permanent residence. It appears that his father came to this country in 1924 and was naturalized as a United States citizen on October 23, 1950. Mr. Lazarich stated that when he deserted his ship and proceeded to St. Paul it was his intention to remain in the United States permanently. He is employed as a night janitor, earning $185 a month.

Congressman Eugene J. McCarthy, the author of the bill, submitted the following affidavits and letters in support of the bill:

AFFIDAVIT

STATE OF MINNESOTA,
County of Ramsey, ss:

Joseph Lazarich, being first duly sworn, deposes and states:

That he is — years of age; that he is the father of John Lazarich, also known as Giovanni Lazarich, who is the subject of possible deportation action by the United States Department of Justice;

That he has had peptic ulcer symptoms since the early 1920's and that at that time he had a gastroenterostomy performed in Italy; that subsequent to said operation he came to the United States of America and was naturalized and had several episodes of gastric bleeding; that in 1945 he had most of his stomach removed at the University of Minnesota Hospitals; that he had a serious gallbladder disease in December 1948 and underwent therapy; that his general health at present is fairly satisfactory but that he has been informed he has gallstones;

that because of his precarious health he may fall into permanent disability or even death at almost any time;

That his wife, Giovanna Lazarich, — years of age, is with him in the United States; that she cannot read or write English and is absolutely unfamiliar with American customs or business transactions; that on the other hand his son, John, has adapted himself very well to American customs; that he is proficient in the American speech and writing and that should affiant become disabled or pass away John Lazarich would be the only person upon whom his mother could rely for the handling of everyday business affairs and for her own personal solace and comfort in her old age;

That John Lazarich has no friends or home or occupation in Fiume and that he is most fearful of returning there since its usurpation by the Tito government; that John is gainfully employed as a cook in the city of St. Paul and that he is more than appreciative of the American way of life, particularly in view of the contrast with the life he had known under the Yugoslavian Communist regime;

That affiant makes this affidavit for the purpose of setting forth reasons why the deportation of his son should not be effected at this time.

JOSEPH LAZARICH.

Subscribed and sworn to before me this 8th day of February 1952.

[SEAL] LEONARD J. KEYES,
Notory Public.

My commission expires December 23, 1955.

ST. PAUL, MINN., *May 19, 1955.*

To Whom It May Concern:

This is to certify that Mrs. Joseph Lazarich, 3 East Rose Avenue, St. Paul, Minn., is under my care and has an incurable carcinoma of the right lung. She is unable to speak English and will require care for the rest of her life. Her life expectancy would be somewhere between 1 and 2 years.

LYLE A. TONGEN, M. D.

CHARLES T. MILLER HOSPITAL,
St. Paul, Minn., May 20, 1955.

MR. GEORGE W. JACOBSON,
Group Health Mutual, Inc., St. Paul, Minn.

DEAR MR. JACOBSON: I am writing you at the request of one of your employees, Mr. John Lazarich. He has informed me that the condition of his mother is about the only factor which will prevent his deportation.

Mr. Lazarich's mother, Mrs. Johanna Lazarich, aged 60, was operated upon by Dr. Lyle A. Tongen at the Miller Hospital on March 31, for a bronchogenic carcinoma of the lung which was found to be unresectable. The tumor was a squamous cell carcinoma, and on April 6, 1955, the patient was referred to the radiation therapy department here for postoperative irradiation. She received a series of 32 deep X-ray treatments directed to the tumor area. The condition is however incurable by radiation therapy, as it was by surgery. We hope that the irradiation which has been given will slow up the growth and keep it under control for some time, but this may not be more than a few months, at best.

I believe it would be a great hardship to Mrs. Lazarich if her son should be deported and not be here to give his mother what aid he could. For this reason I think it would be justifiable to hold his deportation.

Sincerely yours,

EDWARD SCHONS, M. D.

STATE OF MINNESOTA,
County of Ramsey, ss:

T. F. Quinn, being first duly sworn, deposes and says that he is an attorney at law, having practiced his profession since 1915, and that his offices are located at suite 800, Minnesota Building, St. Paul, Minn.; that he has known John (Giovanni) Lazarich for about 5 years and has also been acquanted with his father.

That during this period of time affiant has had many contacts with him and regards him as a fine, upstanding, and industrious man of good character.

He speaks very good English and has always had steady employment

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I know personally that he has rendered great assistance in the orientation of young men who have come to this region from foreign countries under the auspices of our national Foreign Operations Administration.

Mr. Lazarich has always had steady employment and he is now a salesman auditor for the Group Health Mutual Insurance Co. of this city. He is continuing his education in accounting as an exchange student at the University of Minnesota.

T. F. QUINN.

Subscribed and sworn to before me this 20th day of May 1955.

[SEAL] S. E. REDLUND, *Notary Public.*

My commission expires April 12, 1957.

AFFIDAVIT

MAY 19, 1955.

STATE OF MINNESOTA,
County of Hennepin, ss:

I, Robert H. Tuttle, instructor in the general extension division of the University of Minnesota, do make the following statement of facts regarding John Lazarich.

John Lazarich has been a student in my classes for the last 2 years. The courses I teach are advanced accounting subjects, 3d and 4th year rank, and are open only to students who have had preliminary preparation. Most of my students are adults and all are serious minded.

This man has done consistently good work, never less than B grade, and shows an aptitude for accounting and business subjects. Since I receive into my classes only advanced and suitably prepared students, any who earn A or B grades are really capable and deserving.

I do not hesitate to recommend John Lazarich as a hard-working, earnest, sensible man who, in my opinion, will be a credit to the United States.

ROBERT H. TUTTLE.

Personally came before me, a notary public in and for Hennepin County, Minn., Robert H. Tuttle, known to me, who deposes and states that the above is a true statement and is his free act and deed.

[SEAL] JAMES E. CULHANE, *Notary Public.*

My commission expires February 23, 1957.

HAMLINE UNIVERSITY,
St. Paul, Minn., May 19, 1955.

To Whom It May Concern:

This is to certify that I have known John Lazarich since early 1952, when I came in contact with him in line of my responsibility to supervise the work-study training for productivity program of Mutual Security Agency (now Foreign Operations Administration). In the first group of WSTP participants were a large number of Italians and Mr. Lazarich was of great help in my effort to orient these men to the ways of America and make them at home in the community.

Since January 1952, I have frequently come in contact with Mr. Lazarich and got to know him as a very responsible young man.

He is gainfully employed and I feel that he will make a very worthwhile citizen of the United States.

Very sincerely,

GEORGE A. BERGWALL,
WSTP Supervisor.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5866) should be enacted.

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Calendar No. 1573

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1550

EDWARD BARNETT

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6363]

The Committee on the Judiciary, to which was referred the bill (H. R. 6363) for the relief of Edward Barnett, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to the conviction of a crime involving moral turpitude in behalf of the father of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 69-year-old native and citizen of England, who presently resides in Canada with his wife, also a native and citizen of England. Their only daughter is a citizen of the United States and is married to a United States citizen. The record discloses that the beneficiary was convicted of embezzlement in 1934, and served a 3-months' prison sentence. The beneficiary served as an officer of the British Red Cross from 1939 to 1946. For the past 4½ years, he has been employed as a salesman for a paper box jobbing corporation in Canada. The beneficiary's citizen daughter is anxious to have her parents join her in this country, and without the waiver provided for in the bill, the beneficiary will be unable to qualify for a visa.

A letter with attached memorandum, dated December 31, 1953, to the then chairman of the Committee on the Judiciary of the House of

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Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 5753, which was a bill introduced in the 83d Congress for the relief of the same beneficiary, reads as follows:

DECEMBER 31, 1953.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 5753) for the relief of Edward Barnett, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of those files.

The bill is intended to authorize the alien's admission to the United States for permanent residence notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, which excludes from admission to the United States aliens convicted of crimes involving moral turpitude.

If the committee determines to recommend the granting of relief to the beneficiary, it is suggested that the bill be amended by adding the following:

"*Provided*, That the exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act."

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE EDWARD BARNETT, BENEFICIARY OF H. R. 5753

Edward Barnett, a native and citizen of England, was born on August 14, 1886. He is married and resides with his wife, Sara, at 8 Beaumond Road, Toronto, Ontario, Canada. He has never resided in the United States. His daughter, Mrs. Clara Sternberg, is a citizen of the United States and resides at 605 Walnut Avenue, Syracuse, N. Y.

Mr. Barnett was educated in England and studied biology at the University of London. The beneficiary testified that in 1947 he was refused an immigrant visa to come to the United States by the American consulate in London, England, because of a conviction of a crime involving moral turpitude. He testified further that in 1934 he served a 3 months' prison sentence for embezzlement.

The beneficiary served in the British Armed Forces from 1915 to 1916 and during the Second World War he was an officer of the British Red Cross from 1939 to 1946. For the last 4½ years he has been employed as a salesman for Baird & Montgomery, Ltd., Toronto, Ontario, Canada, and earns about $80 or $90 a week. His only assets consist of about $1,000 in savings.

Congressman R. Walter Riehlman, the author of the bill, submitted the following letters and statements in support of the bill:

SYRACUSE, N. Y., *April 25, 1955.*

Congressman R. WALTER RIEHLMAN,
House office Building, Washington, D. C.

DEAR CONGRESSMAN RIEHLMAN: My wife and I are both American citizens by naturalization. Our fondest wish would be to have my wife's father come to live with us. He is 69 years of age, and his background is substantially as noted on the attached.

However, a very unfortunate thing happened in 1934, which is 21 years ago. My father-in-law was convicted of embezzlement, as noted on the attached official police record from England. We have tried in vain to bring my father-in-law to this country, but have been informed there is no administrative remedy.

In 1953 a bill was introduced known as H. R. 5753, by Congressman Dodd of Connecticut. However, the bill did not have time to be processed and therefore, died when the session was over.

My father-in-law is presently a resident of Canada and he cannot come here. As he is 69 years of age, it is a terrible tragedy in my own personal life and my wife's that he cannot join us here.

I therefore, respectfully request that you introduce a private bill on behalf of Edward Barnett, my wife's father. I shall be glad to give you any information

and assistance you desire in this matter. I would also be glad to visit you personally. Will you please do your utmost in behalf of my father-in-law?

Respectfully yours,

BELLA STERNBERG.

EDWARD BARNETT

Born August 14, 1886 in London, England. Attended Benthal House School, in London, England, a private school from about the age of 9 to 15, having previously attended a kindergarten. Had 4 years at London University in biology. He always worked as a salesman.

We give you herewith his employment: 1903–14, Harrison & Crosfield, Ltd. (tea importers), Great Tower Street, London, England; 1915–16, Service with British Army during World War I; 1916–18, Metwell Stone China Co. (salesman), Kingsland Road, London, England (firm now defunct); 1918–22, Central China & Glass Co. (own firm), St. John Street, London, England; 1923 to May 1934, Anglo-French Manufacturing Co. (sales manager), 218 Honduras Street, London, England; September 1934 to August 1948, E. L. Davis & Co., Ltd. (salesman), 90–92 Crondall Street, Hoxton, London, N. 1., England; 1949 to date, Baird & Montgomery, Ltd. (paper box jobbers, salesman), 420 Church Street, Toronto, Canada.

On March 22, 1913 in London, England he married Sarah Van Flyman, which marriage is still valid. Their only child, Clare (Clara) Frederica Sternberg is an American citizen and married to an American citizen. Mrs. Edward Barnett at one time received an immigration visa but inasmuch as her husband was refused an immigration visa at the same time, she relinquished her residence. She received her visa in 1947 and came over and stayed with her daughter, who resides in Syracuse, N. Y., until 1948. Then when her husband was denied a visa, she applied for Canadian immigration and went to Toronto to join him in August 1948. Their address now in Canada is 263 Russell Hill Road, St. Clair, Toronto, Canada, but they prefer that their mail be sent to them in care of their son-in-law, Mr. Bela Sternberg, 1421 S. Salina Street, Syracuse, N. Y., inasmuch as some letters have gone astray.

On May 10, 1934, Mr. Barnett was convicted on three counts of embezzling funds from his employers, Anglo-French Manufacturing Co., under dates of January 9, 1934, April 13, 1934, and March 16, 1934 of sums of £7.6.10; £3 and £0.18.11, which consisted of moneys which he retained. He pleaded guilty, and no record was kept of the hearing. It seems that the firm owed Mr. Barnett moneys which he could not collect for commissions, etc., and he retained a small amount which totaled about $40. He pleaded guilty, as stated above, and served 10 weeks in prison. Upon his release, his subsequent employer, E. L. Davis & Co., Ltd., sent for him with full knowledge of his past experience, and hired him. He held a position of trust with this same firm for 14 years.

There is no administrative remedy under the law and therefore, we wish a private bill introduced in his behalf. The main thing is that the crime for which he was convicted was of an extremely minor nature, and as a matter of fact, the head of the firm went to court to plead for him, but once started it could not be withdrawn.

AFFIDAVIT

On May 10, 1934, I was convicted of embezzling from my employers, the Anglo-French Manufacturing Co., the sum of £8. 5s. 10d., which was money paid to me on behalf of the company and which I retained. Commissions due to me from the company were not forthcoming in time, in spite of my requests, and I retained this small amount for petty expenses, as my wife was seriously ill at this time and through this I had worries nearly beyond endurance.

Because of disagreement with the company later, they prosecuted me in this matter and I was sentenced to 10 weeks in prison. On the day of the hearing, the company asked for the case to be withdrawn, as they regretted afterwards making this sudden move because of a disagreement; but once started, by English law, it could not be stopped.

I would like to state that up till 1934 and ever since the one incident in 1934, I have held a perfectly clean record.

In 1934, a competitive company, E. L. Davis & Co., Ltd., 90–92 Crondall Street, Hoxton, London, England, who were fully conversant with my previous

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employment and the reason for its termination, contacted me and hire me in 1934 until 1948, a term of 14 years, until I left England. I held there a position of trust for 14 years and when I left received a letter of recommendation, copy of which has been submitted earlier.

From 1939–46 I was volunteer Quartermaster and acting commandant British Red Cross Society, air-raid duty, London, England, and when I left received a letter of recommendation, copy of which has also been submitted earlier.

The dearest wish of my life is to be with my daughter and family, who live in and are citizens of the United States.

(Signed) EDW. BARNETT.

Sworn before me at the city of Toronto, in the County of York this 15th day of February 1954.

[SEAL]

A. A. ROSE,
A Notary Public in and for the Province of Ontario.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 6363) should be enacted.

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Calendar No. 1574

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1551

KONSTANTINOS ZAFERATOS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 850]

The Committee on the Judiciary, to which was referred the bill (S. 850) for the relief of Konstantinos Zaferatos, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On line 7, beginning with the word "Upon", strike the remainder of the bill.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Konstantinos Zaferatos. The bill provides for the payment of the required visa fee. The bill has been amended to delete the quota charge inasmuch as the beneficiary is entitled to nonquota status as the spouse of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 27-year-old native and citizen of Greece, who last entered the United States on September 10, 1953, as a seaman. On September 22, 1953, the beneficiary married a citizen of the United States and they now have a child, who is a citizen of this country. The child is presently being cared for by its grandparents inasmuch as the beneficiary's wife is employed so that they can clear off debts incurred by the child's birth. The

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beneficiary is employed as a dishwasher and states that he expects to accept full responsibility for the child within the near future. The beneficiary's application for voluntary departure and preexamination was denied.

A letter, with attached memorandum, dated April 18, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., April 18, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 850) for the relief of Konstantinos Zaferatos, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Columbus, Ohio, office which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

As the husband of a United States citizen, Mr. Zaferatos is entitled to nonquota status in the issuance of an immigrant visa.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE KONSTANTINOS ZAFERATOS, BENEFICIARY OF S. 850

Konstantinos Zaferatos, also known as Kostos Zaferatos, a citizen of Greece, was born in Kefalonia, Greece, on October 28, 1928. He arrived in the United States at Baltimore, Md., on September 10, 1953, as a crewman on the steamship *Effie*, and was admitted for such time as the vessel remained in port, not to exceed 29 days. He remained on the ship until it reached Norfolk, Va., on September 14, 1953, where he left the vessel and he has remained in this country since. On October 2, 1953, a warrant was issued for his arrest charging that after his admission as a seaman, he failed to comply with the conditions of such status, and warrant of deportation was issued on April 8, 1954.

The beneficiary resides in Beckley, W. Va., with his wife, Wilma Jean Zaferatos, nee Buckland, a native-born citizen of the United States, whom he married at Hinton, W. Va., on September 22, 1953. They have one child, Jerry Darrell, born July 26, 1954, in Beckley, W. Va. The child, for the past 4 months has been living with and cared for by the grandparents, William and Lena Buckland, at Piney View, W. Va. The beneficiary pays them $6 per week and buys food for the child. He made these arrangements in order that he and his wife might both work so they could pay off the debts incurred by the child's birth. He is employed as a dishwasher in the Swan Cafe, Beckley, and earns $100 per month. The wife is employed as a waitress in the Columbia Grill, Beckley, and earns $20 per week and tips. Their only other assets consist of a savings account in the amount of $150. He now has all outstanding debts paid up and expects to accept full responsibility for the child within the next month or so.

On January 18, 1955, in the United States district court at Bluefield, W. Va., he plead guilty to violation of 8 United States Code 1282 (c). However, the court deferred sentence pending outcome of this private bill, which beneficiary's attorney, at that time, advised the court he contemplated having instituted. The United States attorney for the southern district of West Virginia at Hungtington, on March 17, 1955, advised that sentence as of that date had not been imposed, and that the case would not again be called before the next term of court at Bluefield which would convene on June 14, 1955.

The beneficiary's brother, Vassilios Zaferatos, a native and citizen of Greece, also resides in Beckley with his United States citizen spouse. He entered this country in 1946 as a seaman. As he failed to depart, a warrant was issued for his arrest on October 20, 1946. The Service ordered suspension of deportation on May 14, 1951, and the case referred to the Congress on June 1, 1951. However, Congress failed to approve suspension of deportation and on January 21, 1954, the

Assistant Commissioner of this Service directed that an order be entered directing deportation, which motion the Board of Immigration Appeals denied on May 12, 1954, but directed a reopened hearing. The hearing was reopened on October 28, 1954, but was adjourned without completion, and is presently pending.

The beneficiary's father, mother, and seven brothers and sisters presently reside at 41 Kerkira Street, 41 Kipselis, Athens, Greece.

In addition, the Commissioner of Immigration and Naturalization addressed the following additional report to the chairman of the Senate Committee on the Judiciary under date of October 28, 1955, concerning the beneficiary's application for voluntary departure and preexamination:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., October 28, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D.C.

DEAR SENATOR: Reference is had to the bill (S. 850) in behalf of Konstantinos Zaferatos, which was postponed indefinitely by your Committee on June 6, 1955, since administrative relief appeared available.

You are advised that the Special Inquiry Officer on June 22, 1955, denied the beneficiary's motion to reopen the proceedings in order to apply for voluntary departure and preexamination. The denial was made as a matter of administrative discretion, and there is no appeal from this decision. This information is being furnished your committee since it has been indicated that the bill will be reconsidered on its merits.

The appropriate field office has been directed to withhold efforts to enforce the alien's departure pending the committee's reconsideration of the bill.

Sincerely,

——— ———, *Commissioner.*

Senator Harley M. Kilgore, the author of the bill, has submitted the following information in support of the bill:

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF WEST VIRGINIA,
CHARLESTON, W. VA., *September 1, 1955.*

Re Konstantinos Zaferatos.

Hon. HARLEY M. KILGORE,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR SENATOR KILGORE: Mr. Berk Lynch has suggested that I write you in regard to a pending bill which, if passed, would prevent the deportation of Konstantinos Zaferatos.

I believe you have been advised that I have taken some interest in this case, and I am now holding in abeyance the sentencing of Zaferatos pursuant to his plea of guilty to a charge of violating a provision of the immigration law. This is so that efforts may be exhausted in his behalf to secure legislation which will permit him to remain in this country. Of course, if these efforts meet with final failure, I will then enter judgment, whereupon he, as I suppose, will be deported.

The details of this man's case were fully brought out in a prosecution against his brother and his brother's wife which was conducted in my court some time ago. This prosecution resulted in a verdict of not guilty, and I think it is at least possible it might have something to do with the failure of Konstantinos Zaferatos to get his case favorably acted upon administratively.

I personally believe that Konstantinos Zaferatos is a good and law-abiding man in all respects except that of having entered this country unlawfully. He is married to an American girl and has a child. His home in Greece has been destroyed by an earthquake. He works for his brother and sister-in-law in their produce market in Beckley. Under all the circumstances of his case, I cannot see that any good purpose would be served by his being taken from his family and deported to Greece where he has no home left to which he can return.

It is my considered belief that this bill ought to be passed.

With highest regards, I am,

Yours sincerely,

BEN MOORE.

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LAW OFFICES, SAYRE, LYNCH & HENDERSON,
Beckley, W. Va., August 25, 1955.

Senator HARLEY M. KILGORE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KILGORE: I enjoyed talking to you during your brief visit to Beckley. According to your request I submit herewith a brief statement of the facts concerning Konstantinos Zaferatos.

This alien is 25 years old, a native and citizen of Greece. He arrived at Baltimore, Md., on September 10, 1953, as a crewman on the steamship *Effie*, and was admitted to the United States as a crewman under the provisions of section 101 (a) (15) (D) of the Immigration Naturalization Act, for such time as the vessel remained in port, not to exceed 29 days. He remained on the ship until it reached Norfolk, Va., 2 days later. There he left the ship and proceeded to his brother's home in Beckley, W. Va. The name of the brother is Vassilios Zaferatos, who is also a Greek alien. While Konstantinos was in Beckley, and before the expiration of his 29-day authority, he was arrested by an immigration officer, and charged with being in this country illegally. He was immediately transported, under arrest to Columbus, Ohio, where he was able to give the necessary bond before the immigration authorities. He was granted a hearing in subsequent proceedings, at Columbus, Ohio, on January 28, 1954, and found by the special inquiry officer to be subject to deportation. As we were not employed in this case at that time, we do not know the exact nature of the charges against him but assume he was charged with remaining in this country after the expiration of the 29-day period. On March 4, 1954, the special inquiry officer entered an order directing deportation and although Zaferatos was then represented by counsel from Ohio, inadvertently no appeal was taken from this order. On June 14, 1955, Mr. Zaferatos filed a motion to reopen the proceedings to afford him an opportunity to make application for voluntary departure and preexamination. This motion was denied.

On September 22, 1953, Konstantinos Zaferatos was married to Wilma Jean Buckland, an American citizen. A baby boy was born to this couple on July 27, 1954, named Jerry Darrell Zaferatos, and of course the child is also an American citizen.

At the instance of the immigration authorities, Zaferatos was indicted by a Federal grand jury and charged with unlawfully remaining in the United States in excess of the period permitted after the departure of his ship, steamship *Effie*. On or about June 8, 1954, he entered a plea of guilty to this charge, before the United States District Court for the Southern District of West Virginia. The Federal court has postponed the sentencing of Zaferatos pending the outcome of the proceedings before the immigration authorities, or pending the disposition of the special bill now in Congress. He has no criminal record other than his plea of guilty as indicated.

Konstantinos Zaferatos has been continuously employed since his arrival in the United States and is presently working in the Swan Cafe in Beckley, W. Va. This restaurant is owned by two American citizens, James Terzis and Nick Gagalis, both of Beckley. His monthly wage is $100, of which he draws about $83 after deductions. He has learned to speak the English language reasonably well and has proved himself to be aggressive and industrious.

Although his wife is also working in a local restaurant, it is extremely important that their joint efforts be continued to insure the financial security of this American mother and child.

I omitted to state while this young man was on the high seas coming to America, his home in Greece was destroyed by an earthquake.

It is respectfully submitted that no good purpose can be served in returning this young man to Greece and thereby leaving in destitute circumstances his American wife and child.

If necessary, the facts outlined herein can be supported by an affidavit, or if you think it might be helpful, I will be glad to come to Washington with the purpose of discussing this case with the proper authorities.

Kindest personal regards.

Very truly yours,

G. BERK LYNCH.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 850), as amended, should be enacted.

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Calendar No. 1575

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1552

AUDREY JEAN YOUNKERS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1465]

The Committee on the Judiciary, to which was referred the bill (S. 1465) for the relief of Audrey Jean Younkers, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

In line 7, change the period to a colon and add the following:

Provided, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is afflicted with epilepsy in behalf of the wife of a United States citizen member of our Armed Forces. The bill has been amended to provide for the posting of a bond as a guaranty that the alien will not become a public charge.

STATEMENT OF FACTS

The beneficiary of the bill is a 25-year-old native of England and citizen of Great Britain who is married to a United States citizen member of our Armed Forces. Her husband was transferred to the United States in October 1954, and brought their United States

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citizen child with him to live with the great-grandmother in Decatur, Ill. The beneficiary was unable to obtain a visa to accompany them because she is afflicted with epilepsy. The beneficiary presently resides in England with her husband, who obtained a transfer and returned to England to be near her. It is stated that she is an orphan and, because of her affliction, needs the careful and sympathetic attention of her family. The couple's second child was born dead. Without the waiver provided for in the bill, the beneficiary will be unable to enter the United States with her citizen husband to join their citizen child.

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 27, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1465) for the relief of Audrey Jean Younkers, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the St. Louis, Mo., office of this Service, which has custody of those files.

The bill would waive the provisions of the Immigration and Nationality Act which excludes from admission into the United States aliens who are afflicted with certain diseases, and would permit the beneficiary to enter the United States for permanent residence if she is found to be otherwise admissible.

Sincerely,

——— ———, *Commissioner*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE AUDREY JEAN YOUNKERS, BENEFICIARY OF S. 1465, 84TH CONGRESS

Information concerning the beneficiary was provided by Mr. William A. Ficker, superintendent, Veterans' Assistance Commission, Macon County, Decatur, Ill., who is serving in a representative capacity at the request of the beneficiary's husband, the sponsor of the bill, who is stationed in England with the United States Air Force.

The beneficiary, Audrey Jean Younkers, a native of England and citizen of Great Britain, was born on April 5, 1930. She was married on August 2, 1954, and resides with her husband at 4th Alfred Street, Ruskdin, Northaut, England. Mrs. Younkers is unemployed. She has the equivalent of a sixth-grade education. Her only income is an allotment amounting to $150 per month. She has no relatives in England.

The beneficiary has never been in the United States. According to the sponsor, she is afflicted with epilepsy and for this reason has been found by the American consul to be ineligible to receive an immigrant visa. The committee may wish to make inquiry of the Visa Office of the Department of State for further information in this connection.

The sponsor, Roy Donald Younkers, was born in Decatur, Ill., on September 4, 1929. He is a sergeant in the United States Air Force and has been a member of the United States Armed Forces continuously since 1946. Sergeant Younkers is the father of a 2-year-old child born to the beneficiary. This child, a citizen of the United States, resides with the grandmother of Sergeant Younkers in Decatur, Ill.

Mrs. Younkers is also the beneficiary of H. R. 4875, 84th Congress.

A letter dated October 4, 1954, to Congressman William L. Springer from the Director of the Visa Office, United States Department of State, with reference to the beneficiary reads as follows:

DEPARTMENT OF STATE,
Washington, October 4, 1954.

DEAR MR. SPRINGER: A communication has been received from the American Embassy at London acknowledging the receipt of your letter of August 4, 1954,

addressed to that office concerning the immigrant visa application of Mrs. Audrey Younkers, who is the wife of Cpl. Royal D. Yonkers, of the United States Army Engineers.

The Embassy states that at the time Mrs. Younkers was medically examined by the United States Public Health surgeon attached to the Embassy, it was determined that she was afflicted with epilepsy (idiopathic). Mrs. Younkers is, therefore, ineligible to receive a visa under the provisions of section 212 (a) (4) of the Immigration and Nationality Act.

You inquire whether it would be possible for Mrs. Younkers to enter the United States under the provisions of section 212 (d) (3) of the Immigration and Nationality Act. That section of law authorizes the Attorney General to approve recommendations of the Secretary of State, or the consular officer concerned, for the temporary admission as a nonimmigrant of an alien who is ineligible to receive a visa other than under section 212 (a) (27) and (29) of the act. Applicants for authorization of their temporary admission under section 212 (d) (3) must establish that they are bona fide nonimmigrants having a residence abroad which they have no intention of abandoning and that they intend and will be able to depart from the United States upon the conclusion of their temporary stay in this country.

Since Mrs. Younkers is the wife of an American citizen who is serving abroad temporarily as a member of the United States Armed Forces, it must be presumed that she is desirous of accompanying her husband to the United States for the purpose of establishing a permanent residence here. She would, therefore, be properly classifiable as an immigrant and the provisions of section 212 (d) (3) of the Immigration and Nationality Act would not be applicable to her case.

Sincerely yours,

EDWARD S. MANEY.
Director, Visa Office.

Senator Everett M. Dirksen, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

Claim No. r. a. 16221844

VETERANS' ADMINISTRATION

STATEMENT IN SUPPORT OF CLAIM

Name of veteran: Roy D. Younkers.

The following statement is made in connection with a claim for benefits in the case of the above-named veteran:

My wife is overseas without anybody to turn to. She is an orphan and has nobody to help her. They sent me home on such a short notice that I couldn't get all of my Army clothes; they are with my wife. How I am going to explain to my next commanding officer, I don't know.

The wife is going to have another baby in February 1955. The wife gets an allotment from me but I don't think she will get it now that I am back in the States. I brought my boy Richard with me.

I went to my chaplain and told him the story and he told me that leaving my wife behind was most likely for the best. He also told me a lot of his trouble too. My company commander did very little to help me. I did most of all that alone. If she can't get here this month I would like to get back to her as she is all alone.

My wife is an epileptic, and my leaving her will make things worse, cause she was doing so good. Also I am afraid that my leaving her will cause her death. When I can get her over here she will be a lot better again. She was getting a lot better, but now that I left her it will make her a lot worse until she can join me here. Then she will get better and possibly well.

ROY D. YOUNKERS.

DEAR SIR: I have put in application for a visa, and it was turned down, cause of medical grounds, under section 212 (a) of the Immigration and Nationality Act.

I have been in service since 1946 without a break in service. I haven't had any court-martials and no disciplinary action. I came to England in July 1950. I married Miss Audrey Huggins in October 4, 1952. We got married at Whitney, Oxfordshire, with permission of the military authorities (see attached papers). We also have a son who is doing fine. He is an American citizen through me, as I have declared him.

I am due for reassignment in September 1954 to the United States. I would like to have special authority to bring my wife to the United States. However, if this is impossible, I would like to stay with the Army as I have 7 years and 10 months in service and would like to go on.

We have forces in France and Switzerland and would like to go there.

Please help me if you can. Thank you.

I have 23 months left to do.

Sincerely yours,

Cpl. ROY D. YOUNKERS,
RA16221844.

VETERANS' ASSISTANCE COMMISSION OF MACON COUNTY,
Decatur, Ill., October 14, 1954.

Re Roy D. Younkers, RA16221844

Hon. WILLIAM L. SPRINGER,
Congress of the United States,
House of Representatives, Washington, D. C.

DEAR MR. SPRINGER: In reference to your letter of August 4, 1954, and the above-named, allow me to bring the situation up to date. The above-named and his son arrived from England without Mrs. Younkers, and have since come to my office appealing for assistance in bringing her to this country. It is very imperative that arrangements be made as soon as possible because Mrs. Younkers is in the family way and it is my understanding that after 6 months of pregnancy she will be unable to obtain a visa until after the birth of the child.

Mr. Younkers states that his wife was an orphan and she grew up and now lives under very poor circumstances and was virtually a slave.

We are very anxious to get this matter in hand. Please find attached a VA Form 4–138, Statement in Support of Claim, on which the veteran states the circumstances. Please use all of your influence in behalf of Mr. and Mrs. Younkers.

It appears that the entire trouble must lie with the Army, inasmuch as all of your correspondence has been received and handled by the American consul in London. Everything in our file seems to be in order.

Your cooperation in this matter will be appreciated.

Very sincerely yours,

WILLIAM A. FICKER, *Superintendent.*

FEBRUARY 28, 1955.

Re Cpl. Roy D. Younkers

Hon. WILLIAM L. SPRINGER,
House of Representatives,
Washington, D. C.

DEAR MR. SPRINGER: Your letter of February 24, 1955 has been received and contents noted.

I have this date conferred with Corporal Younkers' mother regarding this case. She states she talked recently to her son who is again overseas.

Corporal Younkers was transferred home about October 1, 1954, bringing his minor son home with him. This son is now with his grandmother, Mrs. Hicks, here in Decatur, Ill. Corporal Younkers was then stationed in Texas, from where he made arrangements to be transferred back to Europe to be closer to his wife who still is not allowed to come to the United States.

Younkers was transferred to an outfit in France, I understand, and now has been transferred to England again to be close to his wife.

The corporal earnestly desires that you introduce a special bill in Congress to bring his wife to the United States.

His present address is Cpl. Roy Younkers, Fourth Alfred Street, Rushdin Northaut, England.

This office will greatly appreciate anything you may do in behalf of Corporal Younkers.

Sincerely,

WILLIAM A. FICKER, *Superintendent.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1465), as amended, should be enacted.

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Calendar No. 1576

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1553

MANDA PAULINE PETRICEVIC

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2143]

The Committee on the Judiciary, to which was referred the bill (S. 2143) for the relief of Manda Pauline Petricevic, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

Strike lines 6 and 7 and insert in lieu thereof, the following:

sidered to be the natural-born alien child of Mr. and Mrs. Paul G. Schuldt, citizens of the United States.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant to the minor child to be adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 16-year-old native and citizen of Yugoslavia who presently resides in Yugoslavia with her natural mother, three sisters and a brother. Her father was killed in the war. She is a second cousin of the male sponsor. He and his wife wish to

adopt the beneficiary. They reside in Camden, N. J., and it is stated that they are financially able to care for her.

A letter, with attached memorandum, dated August 5, 1955 to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 5, 1955.

Hon. HARLEY M. KILGORE.
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2143) for the relief of Manda Pauline Petricevic, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Philadelphia, Pa., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien child pursuant to sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the child shall be considered to be the natural-born child of United States citizens.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MANDA PAULINE PETRICEVIC, BENEFICIARY OF S. 2143

Information concerning the case was obtained from the interested parties, Katherine Schuldt and Paul G. Schuldt.

The beneficiary is a 16-year-old child, a native and citizen of Yugoslavia, who was born in Divosevci, Yugoslavia, on March 3, 1939. She resides in Yugoslavia with her mother and has never been in the United States. She has 3 sisters and 1 brother who also reside in Yugoslavia. Her father is deceased. The beneficiary is a 10th grade student in junior high school at Brod, Yugoslavia.

The interested parties, Mr. and Mrs. Schuldt, are United States citizens. Mr. Schuldt was born in Germany in 1906. He entered the United States in 1923 and was admitted to United States citizenship at Camden, N. J., in 1929. He has been employed as a cabinetmaker by F. A. Vieser & Son, Camden, N. J., since 1924. His present salary is $78 per week.

Mrs. Schuldt was born in Philadelphia, Pa., on March 21, 1906. She has been employed as a part-time clerk at the Crescent Bottling Co. in Camden, N. J., for the last 4 years. Her salary is $18 per week. Mrs. Schuldt has been a member of the Croatian Fraternal Union of America since 1922.

Mr. and Mrs. Schuldt were married in Camden, N. J., on July 11, 1936. They have no children. They have executed affidavits that they intend to adopt the beneficiary if she is admitted to the United States. The beneficiary is Paul Schuldt's second cousin. Mr. and Mrs. Schuldt have assets valued in excess of $50,000, consisting of real estate, stocks, bonds, cash, and personal property.

Senator William Langer, the author of the bill, has submitted the following letter in support of the bill:

CAMDEN, N. J., *April 15, 1955.*

Re Manda Pauline Petricevic
Hon. WILLIAM LANGER,
Senator from North Dakota,
Washington, D. C.

DEAR SENATOR: The writer is of German Croatian descent (Yugoslav) and my husband is an American citizen born in Germany. Due to the fact that we have no children, we are desirous of adopting my cousin's daughter, she being 1 of 5 children, her father having been killed during the internal war in Yugoslavia in 1943.

In June of 1947 when the child was 8 years of age, we sent the first affidavit of support, but she was not put in the Yugoslav quota until April 5, 1948, and to date

she has not obtained her United States visa, although she obtained her Yugoslav passport in 1952. She is now 16 years of age, and a seamstress by trade, and she writes us time and again when will she ever obtain her United States visa. I have been inquiring since 1949 from the United States consul's office in Belgrade as to when will the child obtain her visa, and all I receive is the usual letters stating that the Yugoslav quota is oversubscribed and Manda will have to wait her turn. We realize that the refugees have preference, but since the Refugee Act was passed by Congress in August 1953, this would ease the quota for immigrants coming from Yugoslavia, wouldn't it?

Senator Langer, we realize that you are an extremely busy man, but we sincerely hope you will look into this matter, and give it your kind consideration, and bring happiness to both the girl and her future parents. Eight years is a long time to wait to come to this country.

Thanking you most sincerely for your kind discretion in the matter, we are

Respectfully yours,

KATHERINE SCHULDT.
PAUL SCHULDT.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2143), as amended, should be enacted.

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Calendar No. 1577

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1554

BALBINA BORENSTEIN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1664]

The Committee on the Judiciary, to which was referred the bill (S. 1664) for the relief of Balbina Borenstein, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

In line 7, strike the words "and head tax".

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Balbina Borenstein. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is an unmarried 52-year-old native and citizen of Poland who entered the United States at New York on July 28, 1950, as a visitor to study monetary problems. She has been maintained by money received on her scholarship which was granted her by the American Association of University Women, Washington, D. C., and she has also received assistance from two cousins who reside in the United States. The beneficiary was graduated from the University of Warsaw in the department of mathe-

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matics. She received her doctor of economic science degree at the University of Brussels, Belgium. She also attended the London School of Economics. The beneficiary has been a visiting research fellow at Columbia University, New York and at Radcliffe College, Cambridge, Mass.

A letter, with attached memorandum, dated January 13, 1956, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., January 13, 1956.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bil (S. 1664) for the relief of Balbina Borenstein, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Boston, Mass., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States upon payment of the required visa fee and head tax. It would also direct that one number be deducted from the appropriate immigration quota for the first year that such quota is available. It should be noted, however, that the Immigration and Nationality Act does not require the payment of a head tax.

The beneficiary is chargeable to the quota of Poland.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE BALBINA BORENSTEIN, BENEFICIARY OF S. 1664

Balbina Borenstein, a native and citizen of Poland, was born on February 22, 1903 in Warsaw. She has never married and resides at 167 Upland Road, Cambridge, Mass. She is unemployed but is writing a book on economics which she hopes to have published. She graduated from grammar school, high school, and the University of Warsaw in her native country. Miss Borenstein attended the Institute of Higher Business Administration in Antwerp, Belgium, from 1927 to 1929 and attended the University of Brussels from 1932 to 1935. She went to the London School of Economics in London, England, in 1949 and 1950. The following degrees have been awarded to her: Bachelor of arts, from the University of Warsaw in 1927; master of arts, from the Institute of Higher Business Administration in Antwerp, Belgium, in 1929; doctor of arts, from the University of Brussels in 1935. She came to the United States in July 1950 on a grant from the American Association of University Women and has since attended the following schools on a research fellowship: Columbia University in New York City, from July 1950 until January 1951; Radcliffe College in Cambridge, Mass., from 1951 to 1953.

The alien has no assets except her personal belongings. She is supported by two cousins, Dr. Samuel Eilenberg, professor of mathematics at Columbia University in New York and Dr. Francois Frenkel, research physicist, at the applied physics laboratory, Johns Hopkins University, Silver Spring, Md. These cousins are her only living relatives.

The beneficiary's only entry into the United States was on July 28, 1950 at New York, N. Y., at which time she was admitted as a visitor until October 28, 1950. She was granted extensions of stay, the last of which expired on September 28, 1951. A further extension was denied. Deportation proceedings were instituted on April 8, 1952 on the ground that after admission as a nonimmigrant visitor she had remained for a longer time than permitted. In a hearing under the warrant of arrest on July 17, 1952, the above charge was sustained and an order entered that she be deported. Her appeal from this decision was dismissed by the Board of Immigration Appeals on December 9, 1952. A warrant for her deportation was issued on December 15, 1952. Miss Borenstein applied for adjustment of her immigration status under section 6 of the Refugee Relief Act of 1953 on May 5, 1954 and on June 9, 1954, this application was denied for the reason that she is

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able to return to Belgium, the country of her last residence, without fear of persecution on account of race, religion, or political opinion.

Private bill S. 2263 was introduced in behalf of the beneficiary in the 82d Congress, 1st session, and private bill S. 560 was introduced in her behalf in the 83d Congress, 1st session, but neither bill was enacted.

Mr. and Mrs. Charles P. Harris, 38 Kenwood Avenue, Newton Centre, Mass., friends of the beneficiary, and her two cousins are the persons primarily interested in the bill.

Senator Leverett Saltonstall, the author of the bill, has submitted a number of letters and documents in support of the bill, among which are the following:

STATEMENT RELATING TO BALBINA BORENSTEIN

DECEMBER 11, 1954.

1. Present address, activities, mode of support

I am visiting in New York my cousin whose name and address are: Dr. S. Eilenberg, 241 West Fortieth Street, New York 14, N. Y. My cousin is professor of mathematics at Columbia University.

As for myself, I am finishing up my book on the financing of World War I in the afterlight of World War II experience. As a onetime visiting scholar at Columbia University, I am allowed to take advantage of their libraries.

Since I came over on a visitor's visa, I felt that I should abstain from earning my livelihood. I have been living on the grant assigned to me by the American Association of University Women, on my savings which I brought with me from Belgium, and finally, I have been supported by two first cousins of mine, Dr. S. Eilenberg (already mentioned) and Dr. N. Frenkiel, research physicist, the Johns Hopkins Laboratory of Applied Physics, Silver Spring, Md. They both wrote to you stating that I would not become a public charge. They also are writing to you again now reiterating what they stated sometime ago. Their letters are enclosed with the paragraph 7 of the present statement.

As I was advised that I may work, I should like to start doing it as soon as possible. At present—the middle of the academic year—is not very propitious for this purpose. But I have made already some contacts. I also have been invited to participate in a discussion on American monetary policy at the next annual meeting of the American Economic Association. This is an honor for me. Apart from its scientific character, the meeting is a large gathering from which work opportunities are not absent.

Let me also mention that my unsettled immigration status interfered with opportunities of which I could have taken advantage. Prof. John H. Williams of Harvard University, my teacher, kindly intended to recommend me to the research service of the F. R. Board, but my bill did not come up.

2. The circumstances surrounding entry into United States

I came from Europe on July 28, 1950, on steamship *Washington*, to harbor of New York. My passport was issued by the Polish authorities (consulate) in Brussels (Belgium) on September 9, 1946; its validity expired on November 28, 1951.

I came on a visitor's visa, V238335. I left for the United States from Southhampton, after a stay of over 1½ years in the United Kingdom. My coming here was made possible because of a grant assigned to me by the American Association of University Women. Although a foreigner in a small and overcrowded European country (Belgium), I was recommended by the Belgian Federation of University Women.

3. Present immigration status

As my Polish passport expired (November 28, 1951), I asked for protection in the United States. A private bill has been kindly introduced by you (S. 2263, October 12 (legislative day, October 1), 1951). The 82d Congress had adjourned before the investigation carried out by the immigration authorities had reached the Senate. Requested by your constituents, Mr. and Mrs. Charles Harris, Newton, Mass. you reintroduced kindly a second bill, S. 560, January 1951[1]. When in April 1954, the "approval of the measure appeared unwarranted on the basis of the information available to the committee," you have been kind enough

[1] The Board of the Division of Immigration and Naturalization also requested you to kindly reintroduce a private bill for my relief at their meeting of December 8, 1952 (letter addressed to you by Miss Alice W. O'Connor on December 11, 1952).

to request that "reconsideration be given to S. 560 (your letters to Miss Alice W. O'Connor, supervisor of social service, division of immigration and Americanization, department of education, and to Mr. Charles Harris, Newton Mass., both of May 5, 1954). Time was short, and it is my understanding that your kind request has not been considered by the committee.

I was declared deportable to Poland at a hearing on July 17, 1952 where I appeared for myself, without legal advice, as I usually do. The hearing officer offered to me voluntary departure, but he did not explain that the initial delay could be extended in order to allow me to take advantage of the privilege of a private bill. A warrant of arrest was issued (April 6, 1952, district director, Boston) and I was released on parole (June 16, 1952, Immigration Service, Boston). Since then I have been reporting monthly by mail to the Immigration Service, Boston. Mr. Charles Harris, Newton, Mass. became my parole supervisor.

The deportation order to Poland has been appealed to the Board of Immigration Appeals, Washington. The appeal was denied (December 11, 1952). A warrant directing my deportation to Poland was issued on December 16, 1952.

In April 1954, Miss Alice W. O'Connor, supervisor of social service, Massachusetts Division of Immigration and Americanization, who has kindly been taking care of my interests since my hearing, thought that section 6 of the Special Immigration Act of 1953 might provide a relief in my case, because my application for the Belgian citizenship has been denied. Before the first bill had been introduced and in order not to conceal anything, I went to see Mrs. Cronkhite, dean of the graduate school of Radcliffe College, asking her advice with respect to the denial. We felt both that at that time I should confine myself to answering questions asked of me. The application of section 6 was denied by the hearing officer (Boston May 18, 1954, serial No. 158) and in appeal, Inspections and Examinations Division of the Immigration and Naturalization Service, Washington (June 9, 1954).

Yet, the denial of citizenship simply means that I would be unable to find work in Belgium at all or certainly not in my line. To put it in other words I would be killed not physically, but mentally. I have never had any political activity. At Belgian universities, I was a top student with magna cum laude degrees. I was recommended by teachers and friends. Please find herewith enclosed a statement from the secretary of the Belgian Senate certifying that my application for the Belgian citizenship was favorably acted upon by the committee on naturalizations of the lower chamber and the plenary session of the chamber. It was favorably acted upon by the committee on naturalizations of the senate, but at the plenary session of the senate the bill did not pass; 6 votes more would have given me the required majority (a photostatic copy of the statement and its translation are enclosed). I also thought that it would be interesting to enclose a photostatic copy of page 16, containing list No. 11 of applications of which the committee on naturalizations proposed the admission (Belgian senate, session of 1948–49, report and lists, Nos. 228 and 229) in order to make you judge about the data supplied to the senators on the basis of which they are supposed to vote. Generally, the vote takes place on all the lists together. This was not the case at that time.[1] Are further enclosed herewith two letters bearing the signature of Mr. Drapier who was first assistant to the Prime Minister Paul Henri Spaak and sponsored my application for the citizenship, and two letters from members of the lower chamber relating to my naturalization of which one was addressed to Mr. Drapier.

4. Specific reasons for desiring permanent residence status

As my Polish passport expired (November 28, 1951), I asked for protection of the United States.

I would be delighted to remain in this country in a law-abiding way. I stated in my letter to Senator Saltonstall of December 1 that I have been interested in monetary problems for many years. My Doctor of Philosophy thesis dealt with the part played by money in business oscillations. Outside the United States, when one is unable to follow closely the "full and splendid publicity of the Federal Reserve System", as Keynes, the famous British economist, said, there is really no means of doing any creative work in the monetary field. In fact, not very much has been done in recent years.

My work has always been the center of my life. We were a united family. My parents, brother, and sister lived in Warsaw. I used to visit them every

[1] I should like to draw attention to the letter addressed by Mr. Jacques, Member of the House of Representatives, to Mr. Drapier, Chef de Cabinet du Premier Ministers, enclosed herewith where it is stated that the vote by the chamber after the approval of the application by the committee is no more than a formality.

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year and to stay for several months there. They were well-to-do people. My brother, in his early twenties, when the war broke out, was engineer of the Warsaw Polytechnical School, a first class institution of its kind, in spite of the very strict numerous clauses applied there. My sister, less than 20, studied chemistry at the University of Warsaw. After they had been exterminated by the Nazis, my work only kept me alive. I attended lectures at the London School of Economics, before I had come to the United States on a grant assigned to me by the American Association of University Women.

After the war, in 1945, when I had lost hope of finding my family alive, I applied for the Belgian citizenship. The episode of my application has been set forth under paragraph 3 of the present statement. Let me only add that a very thorough investigation is undertaken in Belgium on an application for citizenship. Since there were many cases under way, in my case the investigation has taken 4 years. I was very much affected by the blow inflicted to me which I thought that I did not deserve. In myself, I could not find enough strength to stand the injustice. What it actually means is this: I would not be able—as a foreigner—to find work in my own line in Belgium.

These were the reasons which prompted me to ask for protection the United States. I have never had any political activity either on the right or on the left.

As I stated in my letter of December 1, a paper of mine will appear in a scientific periodical provided with a letter from the Bank of England. Since I have been invited to take part in a discussion on American monetary policy (annual meeting of the American Economic Association, see preliminary announcement of their 67th meeting, December 28–30, Detroit, Mich., panel under the chairmanship of Professor Seltzer), my paper will appear in the official proceedings of the meeting. I am looking forward to the meeting very much. It will be a thrilling experience for me to address such a learned audience. Few women are invited to submit their papers there. In fact, I see one other woman on the program, but not on my discussion panel. There are tremendous possibilities in teaching and research here, and trained people, as I see it, are needed. I studied and lived in several European countries (Belgium, France, Germany, United Kingdom); I have enjoyed a high quality training at your universities, Columbia and Harvard. I should think that this will enable me to make myself useful to this country. I also would be happy to be with the two first cousins of mine, the only survivors of our family.

5. Whether such person has been convicted of an offense under Federal or State law and if so, what offense

Warrant of arrest, No. 0200–107695, issued by the district director, Boston Immigration Service, on April 8, 1952, for overstay in this country. Apart from this, I have never been convicted of any offense under Federal or State law in the United States or in any other country in the world.

6. Whether such person has been engaged in any activity which might be interpreted or alleged to be injurious to the American public and any extenuating circumstances surrounding such incident

I have never had any political activity either on the right or on the left.

THE COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
DIVISION OF IMMIGRATION AND AMERICANIZATION,
Boston, May 13, 1955.

Hon. HARLEY M. KILGORE,
Senate of the United States,
Washington, D. C.

MY DEAR SENATOR: I am writing you about a refugee, Balbina Borenstein, in whose behalf a private bill, S. 1664, has been filed by Senator Saltonstall of Massachusetts. I think a report on the alien may soon reach you from the United States Immigration and Naturalization Service.

The gist of the matter is that she is a true refugee, a stateless person whose native country is now Communist dominated. There is no relief for her under either the Immigration and Nationality Act of 1952 nor under the Refugee Relief Act of 1953 although she entered the United States lawfully, has lost her immediate family in World War II in the Nazi extermination of Jews in Poland. She is presently under deportation order. Deportation, if effected, would send her to certain persecution in Poland. Furthermore, at the moment she is under considerable pressure by the United States Immigration and Naturalization Service to execute an application for Polish passport. This she is unwilling to do, not

only because she is not in sympathy with the present Communist-controlled government of Poland, but because she fears reprisal to Polish friends who sheltered her when she visited Poland clandestinely after World War II to learn the fate of her father, mother, brother, and sister. She learned that they perished in the Nazi extermination of Jews. After she left Poland, her friends were investigated by the police because of her visit.

She is a person of good character, high scholastic standing. She could contribute intellectually in her research area.

Moreover, she is definitely a stateless person, a true refugee under the classic definition of Sir John Hope Simpson, the international authority on refugees, regardless of the fact that because of date lines, administrative ruling regarding residence in secondary country, she is not a refugee under the terms of the Refugee Relief Act of 1953.

Since the people of the United States seem to be committed to the principle of offering haven to victims of persecution and Congress has passed laws furthering this principle, possibly your committee will be willing to give kind consideration to the passage of a private bill which will permit Balbina Borenstein to remain in this country. This is a case where there is no hope save by a private bill.

I enclose a memorandum of facts.

Very respectfully yours,

ALICE W. O'CONNOR,
Supervisor of Social Service.

COLUMBIA UNIVERSITY,
DEPARTMENT OF MATHEMATICS,
New York, N. Y., April 18, 1955.

Senator L. SALTONSTALL,
Senate Office Building, Washington, D. C.

DEAR SENATOR SALTONSTALL: I thank you very much for introducing bill S. 1664 for the relief of my cousin Dr. Balbino Borenstein of 44 Kirkland Street, Cambridge, Mass. I should like to state a few facts, that could be submitted in evidence before the Immigration Subcommittee of the Senate Judiciary Committee. Should it be appropriate and useful for me to testify before the subcommittee I am prepared to do so.

In addition to myself, another cousin Dr. Francois N. Frenkiel (research physicist, applied physics laboratory, Johns Hopkins University) resides in Washington, D. C. This is the extent of Dr. Borenstein's near family.

Dr. Borenstein is a research economist, a specialist in monetary questions with particular emphasis on World War I and II financing. She came to the United States from Belgium in 1950 on a fellowship granted by the American Association of University Women. She remained here because she has no place to go. The threat of deportation has been hanging over her for the last few years. Because of this threat, she was not able to secure employment in her field. After her private means gave out in the fall of 1952, she started receiving financial support from Dr. Frenkiel and myself. The two of us are pledged to continue this support for as long as it will be necessary.

Deportation proceedings against Dr. Borenstein have recently been intensified and the plan is to deport her to Poland. This is a country in which her parents, a brother and a sister were killed during the war. Shortly after the war she went to Poland to search for her family, found that everybody was killed, and, fortunately, managed to slip out of Poland again. She has been outspoken in her opinions about the present regime in Poland, and should she be returned there, she is facing certain and unpleasant reprisals.

Should the bill S. 1664 succeed in securing Dr. Borenstein's residence in this country, she is certain to find employment at teaching and/or research in her specialty. In this way her talents, learning, and experience of many years will be utilized to the public good.

Respectfully yours,

SAMUEL EILENBERG,
Professor of mathematics.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1664), as amended, should be enacted.

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Calendar No. 1578

84TH CONGRESS, 2d Session } SENATE { REPORT No. 1555

DAVID HAYES

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2289]

The Committee on the Judiciary, to which was referred the bill (S. 2289) for the relief of David Hayes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On line 6, following the word "Act", change the comma to a period and strike the remainder of the bill.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to David Hayes. The bill has been amended to delete that portion relating to the payment of a visa fee and deduction of a quota number, inasmuch as the beneficiary presented an immigration visa and paid a visa fee when he was last admitted to the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 43-year-old native of Czechoslovakia who claims to be stateless at the present time. He last entered the United States on April 26, 1950, when he presented a quota immigration visa. The beneficiary and his wife, who accompanied him at the

time of his entry, have since been divorced. On January 18, 1951, the beneficiary voluntarily surrendered to the Immigration Service and admitted that he had purchased the registration number and documents of another alien with which to enter this country. The beneficiary's property in Czechoslovakia was confiscated by the Communists and the beneficiary escaped across the border into Austria, where he resided prior to his entry into this country. The beneficiary resides with his brother, who is a citizen of this country. The beneficiary is employed as a manager of a catering firm.

A letter, with attached memorandum, dated September 1, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 1, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2289) for the relief of David Hayes, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States as of the date of its enactment upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

It should be noted that the alien was charged to the appropriate quota upon his entry to the United States as an immigrant on April 26, 1950, when he paid the required visa fee. The committee may wish to delete that portion of the bill which makes reference to those requirements.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DAVID HAYES BENEFICIARY OF S. 2289, 84TH CONGRESS

The benficiary, David Hayes, formerly known as Desider Herskovic, was born in Visni Aspa, Czechoslovakia, on March 9, 1913. He claims to be stateless. He is divorced and resides alone in a furnished room at 255 West 108th Street. New York City. His permanent mailing address is in care of his brother, a naturalized citizen of the United States, at 206 West 99th Street, New York, N. Y. He is a waiter by occupation and earns about $125 per week, including tips. His assets consist of $4,500 in bank savings. His only other relatives are two brothers who are citizens and residents of Israel.

Mr. Hayes entered the United States at New York, N. Y., on April 26, 1950, as a quota immigrant for permanent residence under the name of Vojtech Chaje Gruenberg from whom he had purchased the consular registration number together with other documents relating to Mr. Gruenberg. Mr. Hayes voluntarily surrendered to this Service on January 18, 1951, and made a full disclosure of the facts surrounding his entry. He was made the subject of deportation proceedings through the issuance of a warrant of arrest on January 22, 1951, charging that the immigration visa which he presented at time of entry was not valid because procured by fraud and misrepresentation and further charging that he admits having committed the crimes of perjury and forgery prior to entering the United States. He was found deportable on these charges but on appeal the Board of Immigration Appeals did not sustain the second charge and found him deportable solely on the ground of the fraudulent visa charge. Discretionary relief was denied in the case, whereupon a warrant of deportation against him was issued on July 16, 1952.

Mr. Hayes stated that prior to the time the Communists took over Czechoslovakia he was a wholesale stationery and tobacco merchant there, and that he was imprisoned for 4½ months by the authorities without any charge or trial because

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he had refused to join the Communist Party. Upon his release from imprisonment he found that his business had been confiscated. Being afraid of further reprisals, he escaped clandestinely across the border into Austria and eventually emigrated to the United States. Mr. Hayes claims that in the event of his return to Czechoslovakia he faces definite imprisonment and possible death because of his opposition to the Communist regime in that country.

Senator Herbert H. Lehman, the author of the bill, submitted the following letter in support of the bill:

LAW OFFICES

HARRY I. RAND

WASHINGTON, D. C., *October 19, 1955.*

COMMITTEE ON THE JUDICIARY,
United States Senate, Washington, D. C.

Re S. 2289 David Hayes

GENTLEMEN: I am the attorney for Mr. David Hayes, the beneficiary of the private bill, S. 2289, now pending for consideration by your committee.

I am submitting, on behalf of Mr. Hayes, three copies of each of the following:

1. A memorandum which I prepared and submitted to Senator Lehman in connection with our petition for the introduction of the private bill on Mr. Hayes' behalf. You will note that there are appended to that memorandum, copies of letters, certificates, affidavits, and other material documenting the statement of facts appearing in the memorandum.

2. Letter of Mr. Morris A. Silverman, teacher in charge, Joan of Arc Evening Elementary School, New York City, addressed to your committee, dated October 11, 1955.

3. Letter of Mr. William Greenman, teacher in charge, Public School 171, New York City, addressed to your committee, dated October 10, 1955.

4. Letter of James J. Pillinger, Esq., a New York attorney, addressed to your committee, dated October 6, 1955.

5. Letter of Mr. Walter G. Leicht, a New York professional engineer, addressed to your committee, dated October 5, 1955.

6. Letter of Miss Greta Kaufmann, an employee of a New York Stock Exchange firm, addressed to your committee, dated October 4, 1955.

7. Letter of Mrs. Lia Knooepfmacher, therapist and lecturer at Postgraduate Center for Psychotherapy in New York City, addressed to your committee, undated.

8. Letter of Mrs. Hedwig Stern, New York State government employee, addressed to your committee, dated October 3, 1955.

9. Letter of Mrs. Margaret Lustig, an employee at a New York retail shop, addressed to your committee, dated October 6, 1955.

10. Letter of Mrs. Johanna Leicht, a nurse employed in the Lutheran Hospital in New York City, addressed to your committee, dated October 7, 1955.

Mr. Hayes now resides, as he has for some time in the past, at 206 West 99th Street, New York, N. Y. There he lives with his brother, Paul Hayes, and his brother's family. His brother was admitted to citizenship in April 1955, has been regularly employed for some years as a chef at the Diplomat Hotel in New York, and lives at the 99th Street apartment with his wife, Ruth, and their son, Tommy.

Mr. Hayes is now employed as one of the managers of Delano Caterers, Inc., with offices at 108 West 43d Street, New York City. For the past years he has been working as a waiter at various country clubs and similar establishments; his most recent employment in that capacity having been at Guy Lombardo's East Point House in Freeport, Long Island, N. Y. Mr. Hayes tells me that he has been able to accumulate $5,000 in savings.

Mr. Hayes assures me that he has never been a member of any organization which might be interpreted or alleged to be injurious to the American public interest. Indeed, since coming to the United States, he has joined only one organization, a recognized labor union, the Bartenders, Hotel, and Restaurant Employees' Union, local No. 164.

There is no question, of course, that, in securing his visa for entry to the United States, Mr. Hayes did commit a technical fraud on the United States. But this one and only wrong committed in a life of 42 years must be weighed against the exigencies which inspired its commission. As the enclosed memorandum indicates, Mr. Hayes survived years of slave labor under the Hungarian Fascists and im-

prisonment in Russian prison camps to return, in the closing years of World War II, to fight with his Czech fellows and to win freedom and independence again for Czechoslovakia. Within but 2 years after his return to his native land, however, he was again imprisoned, this time by the Communists, as an enemy capitalist. Eluding his Communist captors, he escaped into Austria in 1949. In terror lest he again be apprehended by the Communists whom he saw all about him in Austria, and returned by them to imprisonment or death in Czechoslovakia, he and his wife committed the fraud which now renders him deportable from the United States. There was, of course, no place to which the Hayes' could go. The United States to them was a haven for the persecuted and the refugee. Mr. Hayes knew that he was committing a wrong, but the concern for his own safety, and even more, for the safety of his wife, impelled him. Those of us who happily have not been subjected to the horrors to which this man was subjected over so many years can but try to understand the terror which moved him in his escape from the Communists; and, if we do understand, we must forgive.

It is noteworthy that no sooner had Mr. Hayes arrived in the United States, his conscience so assailed him that less than a year after his entry he voluntarily appeared at a New York police station and confessed his wrong. This is the one blemish on a career otherwise characterized by the highest integrity and the utmost honesty.

I first met Mr. Hayes in early May 1954, when he retained me as his attorney. Since that time, I have had occasion to meet with him socially, as well as professionally, both in Washington and New York City. My observation of this man convinces me that he is a person of excellent character and of great integrity. I am certain that, if given the opportunity, he would make an exemplary citizen of the United States.

I strongly urge that your committee favorably recommend enactment of the bill introduced by Senator Lehman on behalf of David Hayes.

Sincerely,

HARRY I. RAND.

The letters and documents referred to in the above letter are contained in the files of the Senate Committee on the Judiciary.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2289), as amended, should be enacted.

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Calendar No. 1579

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1556

NENITA SANTOS AND ELIZABETH SANTOS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2357]

The Committee on the Judiciary, to which was referred the bill (S. 2357) for the relief of Nenita Santos and Elizabeth Santos, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof, the following:

That, for the purposes of the Immigration and Nationality Act, Nenita Santos and Elizabeth Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Nenita Santos and Elizabeth Santos. No quota charges are provided for in the bill, since in similar cases where provision is made for the admission of adopted alien children of United States citizens, they are treated as nonquota immigrants.

STATEMENT OF FACTS

The beneficiaries of the bill are 13-year-old and 9-year-old sisters who are natives and citizens of the Philippines. They entered the

United States at Honolulu, T. H., on August 25, 1955, as visitors with their mother and stepfather and presently reside with them at Beloit, Wis. The mother married a United States citizen in 1950 and two children have been born of that marriage. The stepfather plans to adopt the beneficiaries, which he was unable to do under Philippine law.

A letter, with attached memorandum, dated November 15, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 15, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2357) for the relief of Nenita Santos and Elizabeth Santos, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Milwaukee, Wis., office of this Service, which has custody of those files.

The bill is intended to confer nonquota status upon the alien children pursuant to section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, by providing that the children shall be considered the natural-born children of a United States citizen.

As quota immigrants the beneficiaries would be chargeable to the quota of the Philippines. It will be noted that the beneficiaries are now residing in the United States.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE NENITA SANTOS AND ELIZABETH SANTOS, BENEFICIARIES OF S. 2357

Information concerning the cases was furnished by Mr. Franklin H. Underhill, the husband of the beneficiaries' mother.

The beneficiaries, Nenita Santos and Elizabeth Santos, were born in Cavite City, Philippine Islands, on July 17, 1942, and July 21, 1946, respectively. They are citizens of the Philippines. They formerly resided with their mother, her husband, and two half-sisters at Clark Air Force Base, Philippine Islands, where they attended elementary school. The beneficiaries are residing at 756 Bluff Street, Beloit, Wis.

The beneficiaries entered the United States with their mother and stepfather at Honolulu, T. H., on August 25, 1955, as visitors and were admitted to November 25, 1955. Deportation proceedings were instituted against them on September 15, 1955, on the ground that at the time of entry they were immigrants not in possession of proper visas. They have been granted the privilege of departing voluntarily from the United States before August 1, 1956, without hearing under the warrants of arrest.

Mr. Franklin H. Underhill married Julieta Santos, a native and citizen of the Philippines, on November 29, 1950. Two children, ages 2 and 4, have been born of this marriage. Mr. Underhill is employed as a power engineer by the United States Air Force at a salary of $3.27 per hour. He plans to adopt the beneficiaries. According to Mr. Underhill, he was unable, under Philippine law, to adopt them before returning to the United States.

Mr. Underhill attended the United States Maritime Academy during World War II and later served with the Army Transportation Corps in the Pacific area. His assets consist of a $7,600 savings account.

Senator Joseph R. McCarthy, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

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WING INSTALLATIONS OFFICE,
APO 74, Care of Postmaster, San Francisco, Calif.

Senator JOSEPH MCCARTHY,
Senate Office Building, Washington, D. C.

HONORABLE SENATOR: I am writing a personal petition to you requesting your aid in solving my problem which according to information given to me by consular personnel at the United States Embassy in Manila, Philippine Islands, is my last resort. I realize you are a very busy man and I would not bother you if I had any other alternative but as it concerns the welfare of two innocent children I must do so.

I am requesting you to have passed before Congress a special private law admitting my 2 stepchildren into the United States as nonquota immigrants, so that they may accompany their mother and myself and my own 2 children who are their half sisters to the United States this year, as we wish to make our home there.

I am a native-born American citizen with my home address at 756 Bluff Street, Beloit, Wis. My passport number is 50617, issued at San Francisco, Calif., United States of America. I am enclosing an affidavit covering the facts you will need and some additional letters.

If any further data pertaining to the children is needed by your office it may be obtained by contacting the Department of Justice, Immigration Service, from which these children for whom I am petitioning were just granted quota 4 visas which said quota hasn't moved in 10 years. My wife was granted a nonquota visa on the same petition that these children were not.

These two children have been raised by me since 1948 and after the passing of the Walter-McCarran Act we understood that as stepchildren they would not be put on a quota basis but would receive nonquota visas the same as their mother.

It now seems that this information was correct until the middle of the year 1954 when a clarification of the term "stepchildren" as meant in the bill, was requested by some foreign consulate and the information was then passed out to all consulates that "illegitimate children" even though the natural children of the wife of the United States citizen petitioner were not considered as stepchildren by the intent of the act. No other special provision was made for these children. This is a tragic fact as it is well known that there are countless numbers of cases such as mine all over the world since World War II, and as with my own except for the misfortune of war and lack of documentary proof they would have been American citizens by birthright as the children of Americans born abroad. I cannot take advantage of the Orphans Refugee Act of 1953 as they inform me that the eldest child, who is 12 years of age, is 2 years of age over the maximum age limit, and they cannot make exceptions even to prevent the breaking up of a family. The youngest, who is only 8, I can get in under this act if I adopt her; however, under Philippine law we cannot adopt her as we have two children of our own. I have raised these children as my own since 1948, and if I had expected to have so much difficulty in bringing them home to the United States I would have started much sooner.

When we applied for the visas we were mistakenly informed that both children as well as my wife had been granted nonquota visas and the error wasn't discovered until my wife went to the Embassy to make final preparations for leaving. They are in possession of a joint Philippine passport including my wife and both children on the same one.

Another reason it is extremely important to the children that they be granted this privilege is that as my wife has no relatives to her knowledge, as she was orphaned young and her brothers and sisters taken by strangers and all contact lost during the war and occupation of the Philippines, the only home they could find here in the event my employment or the international situation made it necessary to leave them would be an orphanage and that is a very poor situation in the Philippines as the only worthy ones are run by the church and they are sadly overcrowded and short of funds.

As the consul explained to me, it is, I understand, very difficult to draw up any bill and cover all possible contingencies, and for this reason such things as this public law, are made possible by our Government to see that justice is done in worthy cases.

Although I have been living in the Philippines for several years now, I have maintained my American residence at the home of my parents in Beloit, Wis., and therefore I consider myself a constituent of yours, is why I am writing this appeal to you.

Please bill me for any and all expense that you may incur in the processing of this case if any.

If there will be any lengthy delay in the handling of this case I would deeply appreciate being informed about it as it will have an effect on certain conditions pertaining to my duties here at Clark Air Force Base regarding my pending leave to the United States which we were planning to take in August, until we learned of the mistake in our visas.

Sincerely yours,

FRANKLIN H. UNDERHILL.

REPUBLIC OF THE PHILIPPINES,
Province of Pampanga,
Clark Air Force Base, APO 74, ss:

Subscribed and sworn to before me this 13th day of June 1955, at the above-mentioned locality, affiant exhibiting no residence certificate by reason of his membership in the United States military forces in the Philippines.

[SEAL]

ENRIQUE D. TAYAG,
Notary public for Pampanga until December 31, 1955.

JUNE 13, 1955.

Postscript to Senator Joseph R. McCarthy.

Attached photostats are the birth certificate of my two stepchildren and of my marriage license.

Name of children: (1) Nenita Santos; (2) Elizabeth Santos.

Originals of these documents were sent to the Department of Justice, Bureau of Immigration and Naturalization, Washington, D. C.

The mailing address of our visa application was care of Mrs. Julieta Underhill, Avenue B, Balibago-Subdivision, Angeles, Pampanga, and one copy being forwarded to the United States Embassy in Manila. The correspondence was returned from the Department of Justice, Honolulu, T. H.

I wish also to point out that if I had taken these children to the States when I first got them and adopted them before my children were born they would have been allowed a preferred quota of some kind.

It is not as though I just acquired them recently, however, as my reason for not returning to the United States before was because my duties here with the Department of the Air Force kept me from it. I think these children are entitled to some consideration in favor of my petition.

Respectfully yours,

FRANKLIN H. UNDERHILL.

HEADQUARTERS, 6200TH AIR BASE WING,
OFFICE OF THE CHAPLAIN,
APO 74, June 15, 1955.

To Whom It May Concern:

1. Recently there has been called to my attention the problem of a civilian employee, Franklin H. Underhill. In my mind his difficulty involves the happiness and welfare of a sufficient number of people to merit special consideration.

2. At present his family consists of his wife, their 2 children and his 2 stepchildren.

3. He has been caring, since 1948, for these two stepchildren as though they were his own children. Now that he is ready to take his family back to the States, he finds that through some erroneous information and technicalities of certain laws, he is unable to take these two stepchildren to the States.

4. He is now faced with the dilemma either to remain here, in a foreign country, until these two children get old enough to take care of themselves or to place them in an institution for homeless children.

5. Mr. Underhill has already been in the Philippines for about 8 years and it is easily understandable why he wishes to return home. On the other hand, it is almost unthinkable to place these children in an orphanage as these institutions are so poorly equipped and so badly financed.

6. The only logical solution to his problem, and the only way the happiness of this family can be preserved is to pass a special law allowing Mr. Underhill to take these stepchildren into the United States.

HENRY R. KNOPP,
Chaplain (1st Lt) USAF.

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HEADQUARTERS, 6200TH AIRBASE WING,
WING INSTALLATION OFFICE,
APO 74, June 10, 1955.

To Whom It May Concern:

Mr. Franklin H. Underhill has been employed by this organization since March 9, 1953. He has demonstrated the good qualities of character, technical skill, and leadership to distinguish himself as valuable member of this organization, as well as to the community.

For more than 2 years I have associated with Mr. Underhill on official matters and have had the opportunity to become well acquainted with him and his family. The Underhills are considerate neighbors and are well thought of by all with whom they come in contact. They are good parents and all of the children in the family are being raised in an average American manner with high moral standards. The noncitizen stepchildren of Mr. Underhill attend the Air Force school on this base and are afforded all the benefits of traditional Americanism. These children are an important bond in this tightly knit family and every effort should be made to maintain the integrity of the family unit.

BEN R. THOMPSON, DAFC,
Chief, Management Division.

HEADQUARTERS, 6200TH AIR BASE WING,
WING INSTALLATIONS OFFICE,
APO 74, June 13, 1955.

To Whom It May Concern:

Mr. Franklin H. Underhill and his family have been known to me for several years.

The two noncitizen stepchildren of Mr. Underhill have been raised as though they were his own children. The family has a good reputation and the high moral standards of values of any American family.

Every effort should be made to allow the entry into the United States of these two children to prevent the breaking up of the family. These children have been attending the American Dependents School on this base and are well versed in traditional Americanism.

It is extremely important for their welfare that Mr. Underhill's petition be granted. I feel sure that the United States as well as the children will be benefited by their being admitted as future citizens.

MILES E. PELTON, DAFC,
Chief, WIE Power Section.

The committee, after consideration of all the facts in the case, are of the opinion that the bill (S. 2357), as amended, should be enacted.

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Calendar No. 1580

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1557

MAXIMILIEN BEAUVOIS

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2570]

The Committee on the Judiciary, to which was referred the bill (S. 2570) for the relief of Maximilien Beauvois having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

In line 8, delete the colon and insert the following:

, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose:".

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is afflicted with tuberculosis in behalf of the father of a United States citizen. The bill also provides for the posting of a bond as a guaranty that the alien will not become a public charge.

STATEMENT OF FACTS

The beneficiary of the bill is a 59-year-old native and citizen of Belgium who presently resides in Hainaut, Belgium, with his wife. They have two married children who live in Salt Lake City, Utah; one is a lawful permanent resident and the other is a naturalized citizen of the United States. Their seven grandchildren all reside in the United States. The beneficiary was denied an immigrant visa because he is afflicted with tuberculosis. Without the waiver pro-

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vided for in the bill, he will be unable to enter the United States to be near his family.

A letter, with attached memorandum, dated November 23, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., November 23, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington 25, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2570) for the relief of Maximilien Beauvois, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, California, office of this Service, which has custody of those files.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who are afflicted with tuberculosis and provide that the beneficiary may be admitted to the United States for permanent residence if he is found to be otherwise admissible. The bill would also provide that a bond be deposited to insure that the beneficiary shall not become a public charge.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MAXIMILIAN BEAUVOIS, BENEFICIARY OF S. 2570, 84TH CONGRESS

Information concerning the case was obtained from Mrs. Simonne Dock, the beneficiary's daughter.

Maximilian Beauvois, who was born June 10, 1896, is a native and citizen of Belgium. He now resides in Hainaut, Belgium, with his wife, Florentine, to whom he has been married since 1920. They have two children, Leonie M. Remels, a lawful permanent resident of the United States, and Simonne Dock, a naturalized citizen, both now living in Salt Lake City, Utah.

The beneficiary has had a grade-school education. Now retired, he receives pensions totaling $80 monthly from the coal-mining company where he was formerly employed as a foreman and from the Belgium Government for his military service during the First World War. He has no other income. His assets consist solely of a house valued at about $3,000. He has a brother and a sister residing in Belgium.

Mr. Beauvois apparently first learned that he had tuberculosis when he applied for an immigrant visa at the American Consulate in Antwerp, Belgium, about 3 years ago. Recent physical examinations of the beneficiary indicate that this disease is active.

Simonne Dock is employed as a registered nurse at a salary of $290 monthly. Her husband, Roger L. Dock, also a naturalized citizen, is employed as a translator at a salary of $300 monthly. They have no other income. Their assets consist of a $3,000 equity in a house valued at $10,000, an automobile valued at $800, and personal property worth approximately $2,000. They have four children, all of whom are United States citizens.

Senator Arthur V. Watkins, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
January 13, 1956.

Hon. HARLEY M. KILGORE,
Senate Office Building, Washington, D. C.

DEAR HARLEY: I wish to submit the following information to go with my bill, S. 2570, in behalf of Maximilian Beauvois.

Mr. Beauvois' daughter is a naturalized United States citizen and is a nurse, working at St. Mark's Hospital in Salt Lake City. In a letter written to me last April 27, she stated:

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"My father has silicosis, not tuberculosis, and has had this disease for a number of years. Two years ago he started the processing at the Embassy and was told to return for chest X-rays every 3 months. He has been doing this for the past 2 years without making any progress in his processing. It seems there is a law (which I understand has been in effect since 1951) that a person is not eligible to enter this country as long as he has persistent lung spots that show up by X-ray. My parents have not had much education and they did not understand all of the redtape, so I went over to Belgium several weeks ago to see if I could get things straightened out, and bring them back if at all possible. My father receives a pension of $50 per month and has not worked for the past 2 years. (My husband and I both work and have a combined income of approximately $600 per month. The only other child of my parents is also living in this country and her husband is a building contractor.

"When I got to Belgium I saw the Embassy doctor there, and he told me that there was a chance I could bring my father and mother to this country if I talked to my Senators and Congressmen and told them my story. I do not remember the name of the American Embassy doctor, but it was his duty to examine such applicants as my father. He was attached to the American Embassy in Paris, France and was from Colorado originally. He examined my father and an X-ray confirmed the diagnosis of silicosis. I am working as a nurse at the St. Mark's Hospital here in Salt Lake City, and I understand that these lung spots will always be with him.

"Since my husband and I own our home, automobile and since all the rest of the family (including seven grandchildren) are in this country (and plan on staying here) we feel that we can adequately support my parents and we want very much to have them over here."

I am also in receipt of a note from Dr. Grant A. Hickman, dated April 27, 1955, which reads as follows:

"I have been working with Mrs. Dock at the St. Mark's Hospital and have heard her story regarding the difficulty she has had in getting her father into this country. I am sympathetic to her cause and have some understanding of the medical problem involved. The information she gives me, and I have no reason to doubt it, is that her father has silicosis only, and is not involved with tuberculosis. Her husband works as a translater for the L.D.S. church, and she is one of the best nurses we have here at the hospital. I hope you will be able to help her."

I am also including two letters I have received from Mrs. Dock, one dated July 7, 1955, and the other dated January 4, 1956. These letters give pertinent information on the immigrant, his wife, his children in the United States and his grandchildren in the United States.

I believe this bill is meritorious and I should like to request expeditious handling of it.

Sincerely yours,

ARTHUR V. WATKINS.

SALT LAKE CITY, UTAH, *January 4, 1956.*

Senator ARTHUR V. WATKINS,
Committee on the Judiciary, United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: In reply to your letter of December 16, I am happy to send the information you requested.

My father's name: Maximilien Emile Joseph Beauvois, 124 Tue du Gazometre, Montignies S/S Hainaut, Belgium.

Birthdate: June 10, 1896 (has tuberculosis).

Wife's name: Florentine Eugenia Beauvois.

There are seven grandchildren: Three are living at 583 5th Avenue West, City. four are living at 864 East 5th South, City.

The Docks make about $600 a month. Louis Remels is a self-employed contractor and makes about $600 a month.

I hope this information is sufficient to speed the passage of the proposed bill.

Respectfully yours,

SIMONNE B. DOCK.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2570), as amended, should be enacted.

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Calendar No. 1581

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1558

HAROLD MANLY STEWART

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2744]

The Committee on the Judiciary, to which was referred the bill (S. 2744) for the relief of Harold Manly Stewart, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

In line 7, following the word "fee.", strike the remainder of the bill.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Harold Manly Stewart. The bill provides for the payment of the required visa fee. The quota charge has been deleted because the beneficiary is entitled to nonquota status as the husband of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 50-year-old native and citizen of Australia who last entered the United States at New York, N. Y., on January 19, 1945, when he was admitted in transit to reship as a seaman. He first came to the United States from Canada in 1942 to join a ship, but stayed until 1943 when he was drafted. He served in the United States Army for 11 months and received an honorable

discharge on account of alienage. He is now married to a United States citizen and they have two citizen children and they presently reside in New York City. The beneficiary has been unable to take advantage of preexamination because of three convictions in Australia for larceny, more than 20 years ago. Information is to the effect that he has rehabilitated himself and has become a model husband and father.

A letter, with attached memorandum, dated November 7, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 7, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2744) for the relief of Harold Manly Stewart, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States as of the date of its enactment, upon payment of the required visa fee. The bill would further provide that one quota number shall be deducted from the appropriate immigration quota.

It should be noted, however, that as the husband of an American citizen, the beneficiary is entitled to nonquota status under the provisions of the Immigration and Nationality Act.

Sincerely,

M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE HAROLD MANLY STEWART, BENEFICIARY OF PRIVATE BILL S. 2744

The beneficiary, Harold Manly Stewart, was born on July 29, 1905, in Manly, Sydney, Australia, and is a citizen of that country. He is married to a citizen of the United States and has acknowledged himself as being the father of two children born in New York City to his wife prior to their marriage. He resides with his wife and two children at 334 East 49th Street, New York, N. Y., and is employed as a counterman by the Schrafft's Stores, operated by F. G. Shattuck, New York City. His earnings including tips average about $110 per week. His assets consist of $1,400 in cash and bonds, $200 worth of stocks, and he claims to have assets in the amount of $10,000 in Sydney, Australia. He has no relatives in the United States other than his wife and two children. Two brothers and two sisters are residents and citizens of Australia.

Mr. Stewart last entered the United States at New York, N. Y., on January 19, 1945, when he was admitted in transit to reship foreign as a seaman. He has not, however, left the United States and deportation proceedings were instituted through issuance of a warrant of arrest on April 25, 1947, on the ground that at the time of entry he was an immigrant not in possession of a proper immigration visa. The deportation proceedings, after due hearing, resulted in the denial of his application for suspension of deportation, but he was granted voluntary departure with the alternative of deportation should he fail to depart. In view of his failure to take advantage of the privilege of voluntary departure, a warrant of deportation was issued on August 21, 1954, and is presently outstanding.

Mr. Stewart acknowledged that he was convicted in Australia on three occasions on larceny charges. These convictions occurred in 1923, 1927, and 1935. This criminal record was one of the reasons for his inability to take advantage of the voluntary departure privilege above mentioned because of the American consulate in Montreal, Canada, advised him that these convictions make him ineligible to receive a visa under the provisions of section 212 (a) (9) of the Immigration and Nationality Act. These convictions were in part also the basis for the denial of his application for suspension of deportation.

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The beneficiary served in the United States Army from May 11, 1943, to April 17, 1944, when he was honorably discharged, for the convenience of the Government, on account of alienage. On April 13, 1950, he filed a petition for naturalization in the United States District Court, Southern District of New York, under the provisions of section 324A of the Nationality Act of 1940, but he was found ineligible to be naturalized under these special provisions since his discharge on account of alienage could not be regarded as honorable service in the Armed Forces of the United States for the purpose of section 324A of the Nationality Act of 1940.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES SENATE

WASHINGTON, D. C.

IN THE MATTER OF THE APPLICATION OF HAROLD MANLY STEWART

STATE OF NEW YORK,
County of New York, ss:

Harold Manley Stewart being duly sworn deposes and says; That he is a friendly alien, and is 49 years of age; that he has received from the United States Government an honorable discharge for services rendered to the Government, dated April 17, 1944, and marked "Exhibit 1."

FACTS CONCERNING APPLICANT

I am married and reside at 334 East 49th Street, New York City, and am presently employed by Schrafft's, where I have been employed since my entry herein. That my wife is Gloria Owen Stewart, and my children Harold M. Stewart, Jr., and Deborah Stewart, aged 9 and 6 years, respectively all of whom are American citizens, including my wife.

CIRCUMSTANCES SURROUNDING ENTRY INTO THE UNITED STATES

I first entered the United States of America in the year 1942, from Canada, to join a ship, and remained in the United States until May 11, 1943. I was inducted into the United States Army, and was honorably discharged April 17, 1944. I then enlisted in the British merchant marine and furthered the war efforts of the democracies until January 1945. I have remained in the United States ever since, and as stated, have been steadily employed by Shattuck & Co. (Schraffts) "Exhibit 3." I wish to point out that during my legal stay here in the United States, I made application for citizenship which is evidenced by the following exhibits under file No. A–9770 670.

PRESENT IMMIGRATION STATUS

I have been granted by the United States Immigration Division until August 12, 1955, to voluntarily depart from the United States. This date was granted subject however to my producing steamship tickets and visas for myself, my wife, and my children. Said ticket (steamship) and visas were produced to the examiner (see exhibit 2, letter dated July 25, 1955).

May I at this time present to this learned body the fact that during the pendency of my application for citizenship I have married and am the father of two children. My wife and children, as heretofore stated, are citizens of the United States of America.

I am presenting my application with the following exhibits marked "3" and "4." Reference is made to the voluminous record on file with the Immigration Division at 70 Columbus Avenue, New York City, and the appeal decisions marked "Exhibits 5 (a) (b)."

After I was granted the privilege of preexamination I made arrangements to enter Canada, and felt elated that the doors of America would be opened to me, and I would remain here with my wife and children. My attorney then received the annexed telegram (exhibit 5), and again I appeared before the immigration official. A hearing was conducted, and as evidenced by the record and exhibit 6,

the decision was adverse. An appeal was taken and on April 26, 1955, an order entered dismissing the appeal. The appeal court held that the discretion exercised by the American consul was proper, and that I should not be granted the suspension of deportation (see exhibit 7). On May 25, 1955, I then moved for a reargument, on the ground that the court misapprehended the law (see exhibit 8), notice of motion, affidavit and brief), and on July 1, 1955, the court denied my application (exhibit 9).

My battle and work to attain citizenship herein being lost, I then was informed that I had to get out, alone at once. I wish to point out that I was granted a month's extension to voluntarily depart, solely on the ground that the appeal in Washington was undecided. I wish to point out that I had to make arrangements for my wife and children, and asked permission to remain until September 24, 1955. I booked passage on the *Ile de France* for my wife and children for September 24, 1955, tourist class, but said application was denied and I was given till August 12, 1955, to voluntarily depart. I submitted my affidavit (exhibit 10) and set forth the reasons why I needed September 24, 1955, but alas, as stated, the time granted was August 12, 1955.

Why did I delay in making this application? This question opens pores and reacts more strongly when viewed in the light of the circumstances. I felt throughout these proceedings that my escapades or youthful crimes of stealing nothing, were paid for by my being punished. I felt that when I reached the shores of America my youthful wrongdoings were cleansed. Must the blunders of youth follow the man? My readiness and willingness to sacrifice my life for my adopted country in time of war certainly earned me the right to extinguish the blemishes of yesterday. I have never lost hope in the justice as administered here. One evening last week I noticed my son pressing his face so hard against the glass pane that it created an impression on his pale cheek. I watched and thought of his reaction. My son is 9 years, and my daughter 6 years of age. He asked me "How big is the sky and why is it so hot." When he said that I felt a pang of envy and hugged him; the thought of deportation was not in my mind, I still felt that the ray of sunshine will stray through the window and light the dim corner of my perplexity.

That is the reason I delayed. The door was not closed until July 2, 1955, when the Appeals Division in Washington spoke.

MY SPECIFIC REASON FOR WISHING TO REMAIN IN THE UNITED STATES

My home is here. My wife is here. My children are here. My country is here. Here in the United States one breathes the air and loves the sweetness of democratic ideals for which I was ready to sacrifice my life in defense of same and am still ready to sacrifice my life to defend the hallowed principles of democracy.

I have never been accused or convicted of any crime or offense against society here in the United States. My record on file with the immigration officials here and the Federal Bureau of Investigation will show the veracity of this statement.

I have never been, nor am I, nor will I ever be, a Communist, Fascist, Nazi, or a member of any subversive gang of gangsters. I believe in upholding the democratic ideals of American life and will if given the opportunity, or if occasion arises, again submit myself to the defense of my adopted country.

I am but a poor sinful mortal who loves and cherishes his wife, children, and adopted country. My feelings are screwed up to such a climax that I can't say any more but pray that I be given an opportunity to become an American citizen.

It is respectfully prayed that this, my application, by reason of the imminent emergency, be acted upon, and that I be granted the sanctuary of a home life in a democratic country, these United States of America. That I have never previously applied for the relief sought herein except as above stated.

HAROLD MANLY STEWART.

Sworn to before me this 29th day of July 1955.

[SEAL] DOROTHY HANNIGAN VANDERVOORT,
Notary Public, State of New York.

Commission expires March 30, 1956.

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UNITED STATES SENATE
WASHINGTON, D. C.

IN THE MATTER OF THE APPLICATION OF HAROLD MANLEY STEWART

STATE OF NEW YORK,
County of New York:

Gloria Owen Stewart being duly sworn deposes and says:

That she was born October 5, 1926, in New York City, and is the wife of Harold Manley Stewart, and the mother of Harold, Jr., and Deborah, two infant children. That said children were born in New York City and are citizens of the United States.

That on July 10, 1952, she married Harold Manley Stewart at the First Reformed Episcopal Church located at 317 East 50th Street, New York City.

I am still under the impression of what I experienced that day in the church of New York City. In all my years I have nowhere been present at such a service of God. It was different from the boring sanctimonious sermonizing but here for the first time I saw, witnessed, and partook of the symbolic rites that were carried out with dignity and fervent devoutness. It was clear that the pastor himself was moved by the Holy mystery and solemn occasion.

May I state that as I visualize said scene again and recollect the light that cast a shadow on the flames of the candles as they spelled out the words, poverty, obedience, and chastity, as I repeated the words, "To honor and obey and 'til death do we part."

I looked at my husband, Harold Stewart, and in him I saw the "Saint and God of Goodness"; I alone witnessed the expression in his face, and when the services were over and we were blended together into that high unity of hallowed ground of husband and wife did I steal away for a moment to hug, cherish, kiss our children. In the solitude and silence I walked back and forth with eyes filled with love and gratitude saying "Now me, my children, and Harold are one."

I alone know how good my husband is; my children know how affectionate a father he is; I alone know how faithful and chivalrous my husband is and how the children worship him. For all of his surface self-control there is always a happy gleam under his thick, light eyebrows when the children call him "Pop," and he plays with them, romps with them, and one admires his entire face which is molded out of noble material. I love and worship my husband. In his intelligent broad open face one can discern certain lines which were the result of severe violent storms with himself. One sees now the words of persuasion and the effect of quietude in his presence.

I sit sometimes alone and envy his hard-won peace. I myself am tired and it is a relief to see him come home from work and look at the children, who sometimes are tousled and blinking sleepily at the lights, and say "Good night" to them.

I alone in retrospect, see the "life," that my husband has forfeited and given all-out for the children. My devoted husband's life is now full with the children's viewpoint, their fairy tales, festivals, and adventures. Today when I think back of those years of my frivolous youth, it is other than more tranquil, and as I followed day by day, year by year the progress of our marriage, one certainly sees a miracle; a miracle enough for me which I am most thankful, as I see my children's growth and development and my husband's all absorbing interest in them.

EVENTS SUBSEQUENT TO ORDER OF DEPORTATION

In July of this year my devoted husband informed me that Washington refused to grant a stay of the deportation. He informed me it was necessary for him to leave. He further informed me that he could go alone, or take his wife and children. We were alone in the room; our children were away in camp, away from the heat, and amidst flowers in bloom. I was wide awake. It was the mysteriously enticing and exciting voice of my husband that I heard when he said: "I will never desert, abandon, or leave the children."

I mentally danced on each and every conceivable variation and twirl which became wilder in rhythm and when I further heard, "nor you, their mother, my wife." We will all go to England and start anew. My prancing around shook my entire body and I collapsed in his arms.

My husband had to break the news to the children who are so little, radiant, and precious. We were embarking upon a new vista, a new bit of life, perhaps undisturbed and peaceful.

CONCLUSION

I am beginning to notice that the capital which is the future is no longer quite inexhaustible. I have in this dear life a devoted husband, proud parent, and adorable infant children. They are proud of their birthright. They are the beacon lights that lure us, myself, and husband, to the precious thing, life. They are the connecting links that maintain us in this violent and turbulent world. Again I repeat, I the woman, wife, mother, have been inspired by the sacrifice of my husband, and his devotion to the children. This devotion and personal piety of my husband is as strong as that of any primitive saint. A saint he is.

I pray each and every day that he be permitted to remain here with me, his wife, and his children. He will be an honorable citizen of the United States of America, ready to serve his country when required.

GLORIA STEWART.

Sworn to before me August 3, 1955.

DOROTHY HANNIGAN VANDERVOORT,
Notary Public, State of New York.

Commission expires March 30, 1956.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2744), as amended, should be enacted.

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Calendar No. 1582

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1559

SZLOMA KLEIDERMACHER AND HIS WIFE, SARAH KLEIDERMACHER, AND THEIR CHILDREN, RUCHLA, ABRAM, AND TOBA KLEIDERMACHER

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1122]

The Committee on the Judiciary, to which was referred the bill (S. 1122) for the relief of Szloma Kleidermacher and his wife, Sarah Kleidermacher, and their children, Ruchla, Abram, and Toba Kleidermacher, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. Strike all after the enacting clause, and insert in lieu thereof the following:

That, notwithstanding the provisions of section 212 (a) (2) of the Immigration and Nationality Act, Sarah Kleidermacher may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

2. Amend the title of the bill to read:

A bill for the relief of Sarah Kleidermacher.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is insane in behalf of Sarah Kleidermacher. The bill has been amended in accordance

with the suggestion contained in the report received from the Commissioner of the Immigration and Naturalization Service dated June 1, 1955. The removal of the inadmissible ground for the beneficiary of the bill would remove the cause of inadmissibility for the family. The bill also provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

STATEMENT OF FACTS

The beneficiary of the bill is a 50-year-old native and citizen of Poland who entered the United States at New York on May 17, 1951, with her husband and three children under the Displaced Persons Act, at which time they applied for admission as immigrants. The beneficiary was detained for examination and the husband and the children were paroled into the United States. During the ship voyage the beneficiary had suffered a mental breakdown, having been seized with fits of despondency. With the exception of one brother, her family had been killed by the Nazis and she and her family had escaped only by hiding for 2 years in a friendly farmer's shed. After the war, Poland was taken over by the Communists, anti-Semitic persecution continued, and it is stated that the Kleidermacher family was forced to flee to Germany where they spent 5 years in a Displaced Persons camp.

A letter, with attached memorandum, dated June 1, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service with reference to the bill reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington D. C., June 1, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request of the Department of Justice for a report relative to the bill (S. 1122) for the relief of Szloma Kleidermacher and his wife, Sarah Kleidermacher, and their children, Ruchla, Abram, and Toba Kleidermacher, there is a attached a memorandum of information concerning the beneficiaries. This memorandum was prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the aliens the status of permanent residents of the United States upon payment of the required visa fees. It also directs that five numbers be deducted from the appropriate immigration quota.

The bill is apparently intended to exempt Sarah Kleidermacher from the excluding provisions of section 212 (a) (2) of the Immigration and Nationality Act which excludes from admission into the United States aliens who are insane, although no specific reference is made to those provisions in the bill.

The beneficiaries are chargeable to the quota of Poland.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE SZLOMA KLEIDERMACHER, AND HIS WIFE, SARAH KLEIDERMACHER, AND THEIR CHILDREN, RUCHLA, ABRAM, AND TOBA KLEIDERMACHER, BENEFICIARIES OF S. 1122

The beneficiaries, Szloma Kleidermacher, his wife Sarah Kleidermacher, and their children, Ruchla, Abram, and Toba Kleidermacher, are natives and citizens of Poland. They were born on April 4, 1905, June 28, 1905, December 9, 1932, June 9, 1936, and September 3, 1938, respectively. The family resides at 1054 Sutter Avenue, Brooklyn, N. Y. The father and mother were married in

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Poland in 1930. The parents received the equivalent of a fifth grade elementary education abroad. The father is employed as a tailor by Goodstein Co., 10 West 20th Street, New York, and earns a salary of $84 a week. The parents' assets consist of home furnishings and personal property valued at about $4,000. The children are graduates of Thomas Jefferson High School, in Brooklyn, N. Y. Ruchla is employed as an operator by Rud-Shaw Co., 2887 Atlantic Avenue, Brooklyn, N. Y. Her weekly income is $50 and she has $1,500 in cash savings. Toba is employed as a typist by Weekly Representatives, Inc., 920 Broadway, New York, N. Y. She receives a weekly salary of $55 and has $500 in cash savings. Abram is employed as a stock clerk by Montgomery Ward Co., 75 Varick Street, New York, N. Y., and earns a salary of $36 a week. He registered under the Universal Military Training and Service Act, and has been classified A–1 by his local board.

The beneficiaries' only entry into the United States occurred at the port of New York on May 17, 1951, at which time, they applied for admission as immigrants. Sarah Kleidermacher was detained for examination and the other beneficiaries were paroled into the United States. After an examination by a United States Public Health Service officer, Sarah Kleidermacher was found to be afflicted with insanity. On October 5, 1951, after a hearing before a board of special inquiry, it was ordered that Sarah Kleidermacher be excluded from admission to the United States. It was further ordered that the other beneficiaries be excluded as accompanying aliens. On December 21, 1951, on appeal, the office of the Commissioner of the Immigration and Naturalization Service ordered that action in the case be deferred, pending arrangements being made for the hospitalization and treatment of the afflicted alien, at other than Government expense. On September 3, 1952, after reopened hearing before the board of special inquiry, it was ordered that Sarah Kleidermacher be excluded and deported from the United States. Action in the cases of the other beneficiaries was deferred pending her deportation. On December 12, 1953, Sarah Kleidermacher, her condition improved, was placed on convalescent status and released into the custody of her husband. She was subsequently discharged from the records of that hospital on January 12, 1955.

Senator Herbert H. Lehman, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

BROOKLYN, N. Y.

Re Sarah Kleidermacher, 0300–383771 DDPB

Mr. IRVING LACKS,
Acting Chief, Deportation, Immigration and Naturalization Service,
Ellis Island, New York Harbor, N. Y.

DEAR MR. LACKS: I have received your letter of July 26 addressed to my wife as well as the registration form for a Polish passport.

Although my wife was placed on convalescent status by the Brooklyn State Hospital on December 13, 1953, her condition is not improved to the point where she could answer your letter herself. In addition, I would not want to aggravate her condition by explaining to her the precarious basis on which we are living in the United States. I am therefore answering for her.

Instead of my wife's autobiography, I would like to submit for your information the following data:

My wife was born on June 28, 1905, in Sarnaki, Poland. She grew up in an Orthodox Jewish family and she lived with her parents until 1930, when we were married. From 1930 until 1939 we lived in Sarnaki, where I was working as a tailor and our children were born in 1932, 1936, and 1938. Sarnaki is a town in Poland which was occupied by the Germans, and we shared the fate of the Jewish population of Sarnaki. All five of us were taken to the ghetto. When the extermination action against the Jews was started and the first transports for Treblianka were organized, we succeeded in escaping from the ghetto and were hidden in a storage shed of a farmer who had known our family. For about 2 years we lived there with our children, unable to leave our hiding place except for a few furtive moments at night.

When the Russian Army occupied the area of Sarnaki in 1944, we were able to return to our house. My wife's father had died before the war. The rest of her family, with the exception of 1 brother, had been killed, her mother, 2 sisters and 2 brothers. (It was undoubtedly the terrible experience of the war years which later brought about the despondency of my wife.)

Life under the Russian occupation was very hard, especially for us who were at that time the only Jewish family left from a Jewish population of 500. Antisemitism was very strong; there were pogroms in Loszice, Kielce, and other places, and we decided to leave Poland. We left Sarnaki and later, in 1946, we moved on to Germany in the hope that we would succeed eventually in going to the United States and, after so many years of tribulations, beginning a new life.

We did not know then that it would take 5 years before our wish would be fulfilled. In the meantime, Poland had become a satellite of the Soviet Union. Antisemitism continued in full force, but now also was added the oppression of the middle classes. As a Jew, as an anti-Communist and as an independent owner of a tailor shop and a former employer of four workers, I could not think of returning to Poland in spite of the miserable conditions of life in a displaced-persons camp.

Finally we received our visas for the United States. We arrived on May 17, 1951. My wife had fallen ill on the boat and we were not admitted to the United States as legal immigrants. Instead, my wife was paroled to the Brooklyn State Hospital. I went to work immediately after the release from Ellis Island; so did my elder daughter. My son and my younger daughter went to school. In December 1953 my wife was released from the hospital and we have since been living together.

Of all the things that could happen to us, the worst would be to be sent back to Poland. We are afraid of persecution there because of our faith and our political convictions. Since I must assume that the questionnaire you sent me is needed in connection with efforts to secure a Polish visa, I cannot fill it out in good conscience and I hope from the bottom of my heart that this action will not be considered as a lack of cooperation with the Immigration and Naturalization Service.

Sincerely yours,

SZLOMA KLEIDERMACHER.

STATEMENT ON SARAH KLEIDERMACHER, SZLOMA KLEIDERMACHER, AND THEIR CHILDREN, RUCHLA, ABRAM, AND TOBA

1. Present address, activities, mode of support

1054 Sutter Avenue, Brooklyn, N. Y.

Mr. Szloma Kleidermacher, the head of the family, is a tailor. He is working for the Goodstein Manufacturing Corp., 10 West 20th Street, New York, N. Y. (Exhibit 1, Mr. Kleidermacher is using the first name Solomon instead of Szloma.) His income during the year 1953 was $3,500.

Mrs. Sarah Kleidermacher was placed on convalescent status on December 13, 1953. Since placement on convalescent status, she has been adjusting satisfactorily. She has been able to take care of her housework (exhibit 2, photostatic copy of privileged communication from the Brooklyn State Hospital).

Miss Ruchla Kleidermacher, the oldest daughter, is employed by Tennenbaum & Sons, 69 Saratoga Avenue, Brooklyn. Her earnings during the year 1953 amounted to roughly $2,000.

The younger children are in school. Toba (Toby) Kleidermacher graduated from the Thomas Jefferson High School in Brooklyn in June 1954 (exhibit 3, photostatic copy of diploma).

The family is completely self-supporting.

2. The circumstances surrounding entry into the United States

The Kleidermacher family arrived in the United States on May 17, 1951. They were in possession of valid visas issued under the Displaced Persons Act of 1948, as amended. They traveled on the steamship *General Muir* and arrived at the port of New York.

3. Present immigration status

Mrs. Kleidermacher was excluded from admission to the United States on the basis of a class A certificate of the United States Public Health Service. She had fallen ill during the ocean trip, was taken to Ellis Island and subsequently transferred to the United States marine hospital at Stapleton, Staten Island. The diagnosis was schizophrenia of the catatonic type.

Mr. Kleidermacher was excluded from admission to the United States as the person "necessary to accompany a person excluded from admission to the United States" (sec. 18 of the old act of 1917), and the three then minor children were excluded because their father, the "principal applicant has been excluded from admission to the United States."

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Subsequently Mrs. Kleidermacher was paroled for medical treatment at the Brooklyn State Hospital and the rest of the family were permitted to remain in the United States on parole.

Since Mrs. Kleidermacher is clearly not eligible for admission to the United States and since counsel's plea for admission of Mr. Kleidermacher and the children irrespective of the case of Mrs. Kleidermacher was not granted by the Immigration and Naturalization Service, their situation cannot be adjusted administratively.

On July 28, 1954, the INS sent Mrs. Kleidermacher an official application blank, issued by the Polish Legation in the United States, and requested that she fill it out and return it to the Service. From this letter it can be inferred that the Service is now ready to start deportation proceedings (exhibit 4).

4. Specific reasons for desiring permanent residence status.

The Kleidermacher family came to the United States in the hope of being able, after years of life in ghettos, hiding, and DP camps, to reestablish themselves, normalize their living conditions, and eventually become American citizens.

Because of Mrs. Kleidermacher's condition, they have not succeeded in doing so. But despite this handicap, they have made big strides toward integration in the United States, as shown by the facts cited above and the documents submitted in corroberation of these facts.

Furthermore, there is no country to which the Kleidermacher's can turn. They cannot return to Germany because they are no longer eligible for return permits. Neither do they want to return to Germany since they connect so much of their past suffering with things German. They cannot return to Poland since they would be persecuted as Jews and as opponents of communism. (See exhibit 5, copy of letter of Mr. Szloma Kleidermacher to the Immigration and Naturalization Service in reply to the request to fill out an application for Polish passport.)

5. Convictions or activities inimical to the United States

Nobody in the Kleidermacher family has been convicted of any offense under Federal and State laws. Neither has any member of this family unit engaged in any activities which might be interpreted or alleged to be injurious to the American public.

On the contrary, the whole family is deeply attached to the democratic way of life. They are all law-abiding and hard-working people.

6. Letter of endorsement

Attached (exhibit 6) letters from Mr. Jacob Pat, executive secretary of the Jewish Labor Committee, and Mr. Charles Sternberg, director of the case department of the International Rescue Committee, Inc.

STATE OF NEW YORK, DEPARTMENT OF MENTAL HYGIENE,
BROOKLYN STATE HOSPITAL,
Brooklyn, N. Y., January 29, 1954.

Re Sara Kleidermacher, convalescent patient

Mrs. LILLIAN SPRUNG,
Senior Caseworker,
New York Association for New Americans,
New York, N. Y.

DEAR MRS. SPRUNG: In reply to your letter of January 20, we would like to inform you that the above-named patient was placed on convalescent status on December 13, 1953, and at that time she was considered improved in her condition. Her improvement during the latter part of her stay in the hospital was gradual and progressive. She was allowed home for weekends and was able to do well in the home situation.

Since placement on convalescent status, we feel that patient has been adjusting satisfactorily. She has been able to take care of her housework and look after her children. The family is pleased with her condition. She will be followed in our aftercare clinic until December 1954.

We can offer no specific recommendations for the future, but we do feel that she should be amenable to any program that you might feel is indicated.

Very truly yours,

NATHAN BECKENSTEIN, *Director.*

JEWISH LABOR COMMITTEE,
ATRAN CENTER FOR JEWISH CULTURE,
New York 21, N. Y., June 8, 1954.

Hon. HERBERT H. LEHMAN,
United States Senate,
Washington, D. C.

DEAR SENATOR LEHMAN: I am writing this letter in behalf of Mr. Solomon Kleidermacher, his wife Sarah, and his children Ruchla, Abram, and Toba. It gave me great pleasure to learn that you have taken an active interest in the case of this family and I assure you that whatever action you may be able to take will be for the benefit of very decent and worthy people.

I have known Mr. Kleidermacher personally since he arrived in the United States in 1951 and my friends and I have known of him since he was a displaced person in a refugee camp in Germany. The illness of his wife is a tragedy in itself. Yet I am even more concerned about the future of Mr. Kleidermacher's children whose well-being in the United States will depend to a large extent on the success of your efforts. Mr. Kleidermacher is a hard-working man. At no time has he or his family been a charge to the community. They are all attached to our democratic way of life and deeply grateful to our country.

Hoping that you will succeed in helping this family, I am

Very sincerely yours,

JACOB PAT,
Executive Secretary.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1122), as amended, should be enacted.

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Calendar No. 1583

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1560

DR. HOWARD SEEMING LIANG

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1846]

The Committee on the Judiciary, to which was referred the bill (S. 1846) for the relief of Dr. Howard Seeming Liang, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

AMENDMENTS

1. In line 4, following the name "Liang", insert ", Lai Yen Mark Liang, and Howard Seeming Liang, Jr."
2. In line 7, change the word "fee" to "fees".
3. In line 8, change the word "alien" to "aliens".
4. In line 10, strike the words "one number" and insert the words, "the required numbers".
5. Strike lines 11 and 12, and insert in lieu thereof, the following

the appropriate quota or quotas for the first year that such quota or quotas are available.

6. Amend the title of the bill to read:

A bill for the relief of Doctor Howard Seeming Liang, Lai Yen Mark Liang, and Howard Seeming Liang, Jr.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Howard Seeming Liang, Lai Yen Mark Liang, and Howard Seeming Liang, Jr. The bill

provides for appropriate quota deductions and for the payment of the required visa fees.

STATEMENT OF FACTS

The beneficiaries of the bill are Chinese, a 39-year-old husband, his 34-year-old wife and their 7-year-old son. The principal male beneficiary first entered the United States on July 1, 1944, at Los Angeles, Calif., as a student and last entered in 1954 as a visitor. He is presently employed by the School of Medicine, University of Maryland, as a member of the faculty and as associate anesthesiologist. It is stated that his work has been of the highest quality and that if he is permitted to remain in this country, he will be given an immediate promotion. Information is to the effect that he is a noted specialist in anesthesia, having studied and taught in this field in China, Canada, and the United States. The wife, whom he married on June 28, 1947, was born on the island of Macao and is a naturalized citizen of Canada, having entered Canada at the age of 9. Their son was born in China. They also have a 4-year-old daughter born in the United States.

A letter, with attached memorandum, dated June 20, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of the Immigration and Naturalization Service reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington D. C., June 20, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1846) for the relief of Dr. Howard Seeming Liang, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Baltimore, Md., office of this Service, which has custody of those files.

The bill would grant the beneficiary lawful permanent resident status in the United States upon payment of the required visa fee. It would further direct the deduction of one number from the appropriate immigration quota.

The beneficiary is chargeable to the quota for the Chinese.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE HOWARD SEEMING LIANG, BENEFICIARY OF S. 1846

The beneficiary, who is also known as Dr. Howard How Shung Liang, was born on December 22, 1916, in Naning, Kwangsi, China. He was last admitted to the United States on April 29, 1954, at Rouses Point, N. Y., as a temporary visitor. He received extensions of stay, the last of which expired on March 8, 1955. Deportation proceedings have been instituted against him on the ground that he failed to comply with the conditions of his admission. These proceedings are still pending.

The beneficiary first entered the United States on July 1, 1944, at Los Angeles, Calif., as a student. He was at that time the beneficiary of a scholarship from the Chinese Government for the purpose of doing special studies in the field of medicine. Under this scholarship he attended the College of Medical Evangelist in Los Angeles, Calif., for approximately 1 year. He thereafter served until May 1946 as a resident physician in surgery at the State University of Iowa Hospital. He later engaged in postgraduate studies until April 1947 at the New York University School of Medicine. On July 28, 1947, he returned to China where he practiced his profession until September 1951. In November 1951 he emigrated to Canada where he practiced his profession in various hos-

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pitals until he effected his last entry into the United States. He is now employed by the University of Maryland School of Medicine at an annual salary of $10,000 as a member of the faculty and as associate anesthesiologist in the University of Maryland Hospital.

The beneficiary married Lai Yen Mark, who is a naturalized citizen of Canada, on June 28, 1947. They have two children, Howard Liang, Jr., who was born on December 22, 1948, in China, and Gwendolyn Jean Liang, who was born on November 18, 1951, in Los Angeles, Calif. The beneficiary and his family now reside at 2871 West Garrison Avenue, Baltimore, Md. The beneficiary's wife was admitted to the United States as a temporary visitor on September 21, 1954, for a period of 6 months. As she has failed to comply with the conditions of her admission to the United States, action is being taken looking to the institution of deportation proceedings against her. His son, Howard Liang, Jr., was also admitted to the United States as a temporary visitor. However, his admission was for a period of 1 year which has not as yet expired. The beneficiary has no other relatives residing in the United States. His parents are deceased. However, he has 3 brothers, 1 of whom is an officer in the Chinese Nationalist Army in Formosa. The other two brothers were last known, in 1947, to be college students at the University of Kwangsi, Kwangsi, China. The beneficiary has cash savings of several hundred dollars and his wife has separate savings amounting to $2,000.

Senator John Marshall Butler, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

UNITED STATES SENATE,
January 17, 1956.

Hon. HARLEY M. KILGORE,
Chairman, Subcommittee on Immigration and Naturalization,
Committee on the Judiciary, United States Senate,
Washington, D. C.

DEAR SENATOR: On April 25, 1955, I introduced Senate bill 1846, for the relief of Dr. Howard Seeming Liang, providing that for the purposes of the immigration and nationality law, he shall be held and will be considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment. On July 7, 1955, I requested that when this measure comes up for consideration, it be amended so as to cover Mrs. Liang and the doctor's son, Howard, Jr., who are also chargeable to the Chinese quota. At the time I introduced S. 1846 this fact was not known to me.

Dr. Liang has had an appointment as instructor in anesthesiology on the University of Maryland School of Medicine faculty since May 1, 1954. He is here on a temporary worker permit as an "alien of distinguished merit and ability" (H–1). Since he is not a citizen and for that reason cannot be licensed to practice medicine in Maryland, what anesthesias he administers at university hospital are under the aegis of Dr. Robert B. Dodd, head of the department of anesthesiology at the hospital and school. Dr. Liang's primary function in the department is supervision of anesthesias administered by nurses and house staff and instruction of the house staff and medical students. Anesthesiologists are in short supply over the country, those interested in academic medicine are scarce and those with a training background comparable to Dr. Liang's, a real rarity.

Dr. Liang was born in Kwangsi, China, on December 22, 1916. He is a Christian (Presbyterian), is married and has two children. He received his medical doctor's degree from National Sun Yat-sen University College of Medicine, Canton, China, in June 1940. His postgraduate medical training and epxerience is as follows:

Internship, University Hospital, Canton, China, October 1938 to March 1940; medical officer, Chinese Army Medical Corps, July 1940 to July 1944; residency in surgery, State University of Iowa, May 1945 to May 1946; student in anesthesiology, New York University, October 1946 to April 1947; lecturer, Kwangsi Medical College, in general surgery and anesthesiology, August 1947 to October 1949; anesthetist, Queen Mary Hospital, Hong,Kong, April 1950 to October 1951; residency in anesthesiology, Children's Memorial Hospital, Montreal, January 1952 to December 1952; residency in anesthesiology, Montreal General Hospital, January 1953 to December 1953; student in anesthesiology, McGill University (diploma course), Montreal, January 1952 to December 1953.

Dr. Liang is a Nationalist Chinese. His service with the Chinese Army was in the Eighth Severely Wounded Hospital and the Emergency Medical Service

Training School. His immediate superior was Dr. Carl C. Wang, then a colonel, who is now practicing medicine in Fresno, Calif. The chief of the training school and later surgeon general of the Chinese Army was Dr. Robert K. S. Lim, then a lieutenant general, who is now professor of physiology at the University of Chicago (see attached letters). Both of Dr. Liang's parents are dead. He has two brothers in continental China from whom he has heard nothing since he left Kwangsi in 1949. He does not know whether they are living. He has one other brother, living in Taipei, Formosa, whome he hears from periodically.

Mr. Liang's full name is Lai Yen Mark Liang. She was born May 12, 1921, on the island of Macao, a Portugese colony off of China. Her father, Ernest C. Mark, is living in Canada and her mother Yuk-Fung and her grandparents are dead. They were all naturalized Canadian citizens and all of Chinese origin. Lai Yen Mark entered Canada at the age of 9. She was educated and married in Canada. She is a naturalized Canadian, holding certificate No. 16994. The Liang's have two children. Howard, Jr., was born in Nanning, China, December 22, 1948. Gwendolyn Joan was born in Los Angeles, Calif., November 19, 1951.

Dr. Liang is performing valuable service at the University of Maryland Hospital. His judgment and skill both in the training program and the clinical care of patients is trusted and relied upon. It would be a severe blow to the program of the university hospital if the services of Dr. Liang were lost.

Dr. Liang in the enclosed letter indicated a clear appreciation for the American way of life. He has a commendable record of service. The permanent residency of this young family in the United States would be justly deserved and in keeping with our Nation's best interests. I request that early approval be given to this legislation, amended so as to cover Mrs. Liang and their son, Howard, Jr. As their daughter, Gwendolyn, was born in San Francisco, legislation in favor of her would appear to be unnecessary.

Sincerely yours,

JOHN MARSHALL BUTLER,
United States Senator.

BALTIMORE, MD., *November 12, 1955.*

Senator J. M. BUTLER,
United States Senate, Washington, D. C.

SIR: May I take this liberty in expressing my gratitude to you for your extraordinary kindness of helping me and my family with our immigration procedure? Please accept our heartfelt thanks and our deepest appreciation for your great deed. This is the most wonderful thing that can possibly happen to us.

Ever since we received the good news that you, Senator Butler, have introduced a bill for us, we have been constantly praying wholeheartedly.

Prior to my entering into the United States, I wasn't certain of myself and the exact working situation. I then agreed with Dr. Robert B. Dodd, my chief, to come into the country temporary on a worker visa, 18 months ago. After my arrival into Baltimore, I worked under Dr. Dodd, who is a brilliant head in our specialty. I discovered and am extremely pleased that I have come to the right place. With his diligent and endurance ability, our anesthesia department is well organized and achieved the goal of the established new graduate training program. I felt that I was very fortunate to have the privilege as participant. My colleagues are wonderful people both to me and to my family, and Prof. J. G. Arnold, he's the finest person. This adds great pleasure to my working here. We are very happy in Baltimore. I have lived in other countries but never before have I tasted such true friendship as my friends here given us. We love them. Here, is democracy, where people are treated with respect and recognize the virtue and talents of individuals without regard to their origin. I found too that the United States is the only country which provides freedom and individual rights. This country has given me 4 years, 1944–47, of abundant opportunity to prepare for this profession of my choice. I admired this amazing country ever since. At that time, I could never had dreamed that today I can be in this fruitful stage.

Under the above mentioned circumstances my wife and I deliberately choose and wish to become Americans where I can have the privilege to do the work I have selected and to perform my duty to the best of my ability. If I should be permitted to remain permanently in United States, under the Hippocratic oath. I shall devote my life to heal the sick tirelessly. The doctrine of my medical education would lead me to abide the principle of Christianity movement

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closely. I have yet still much more to learn to achieve perfection and I believe only America can provide such training.

How can I ever thank you enough for letting me see a nice bright world ahead and the opportunity of knocking at the gateway to freedom. I know I am still in suspense, but with your help, my dream can be answered. God bless America.

Again my wife thanks you, my children thank you, and I thank you with all our hearts.

Yours truly,

HOWARD S. LIANG, M. D.

UNIVERSITY HOSPITAL,
UNIVERSITY OF MARYLAND,
Baltimore, Md., November 17, 1955.

Senator JOHN MARSHALL BUTLER,
United States Senate, Washington, D. C.

DEAR SENATOR BUTLER: I am writing you in regard to Senate bill 1846 which you introduced in relief of Dr. Howard S. Liang. Your general information concerning Dr. Liang's background was sufficient to allow you, in good conscience, to introduce a bill in his behalf so I shall deal only with my personal impressions of him and his record at the University of Maryland School of Medicine.

I was placed in contact with Dr. Liang through the Woodward Medical Personnel Bureau of Chicago in May of 1953. That was a few months after my arrival at the University of Maryland and the need for competent physicians to staff a new department of anesthesiology was great. Though the need was great, I had a responsibility to the school and hospital to choose only doctors of sufficient merit to inspire confidence in the new undertaking. The preliminary information on Dr. Liang was encouraging. From correspondence over a period of months, I learned that following training in both surgery and anesthesia in excellent medical centers in the United States he had returned to China to impart his knowledge to the medical students there. The Communist forces pushed him and his family out of China to Hong Kong where he stayed on for 18 months as a staff anesthetist in a British hospital. Desiring further training and knowledge of the newer techniques of his specialty, he secured an appointment in the anesthesia course at McGill University in Montreal and worked for 2 years in the hospitals affiliated with that institution.

My associate, Dr. Paul R. Hackett, went to Montreal to interview Dr. Liang. Dr. Hackett also interviewed physicians with whom and under whom Dr. Liang had worked. The reports were uniformly highly favorable and Dr. Hackett was very impressed with Dr. Liang's personality and knowledge. Dr. Liang had been offered several positions, one of them in the hospital in which he was completing his course, Montreal General Hospital. We concluded that Dr. Liang had qualifications far superior to any candidates that we had been able to contact and that, even though he would be available to us on only a temporary basis, he would be extremely valuable in setting up our clinical and teaching program. Dr. Liang joined us on May 1, 1954, and has since proven our prior evaluation of him to be eminently correct.

Socially, we have found Dr. Liang and his wife to be a charming couple. Their two children reflect the influence of a truly Christian upbringing and are exceptionally considerate of other people (children and adults) and others' property. Howard, junior, is a highly superior student in grade school and has a real thirst for knowledge.

Dr. Liang and his wife like living here and feel that they and their children have the best opportunities here. Dr. Liang showed me a copy of the letter which he had sent you regarding the choice that he and his wife had made to try to become United States citizens. No words that I could say regarding his feelings for democracy as exemplified in the United States could match his humble eloquence. From my association with Dr. and Mrs. Liang, he expressed their true sentiments.

By sponsoring them through Senate bills, you are doing them and us a tremendous favor. Our departmental staff is increasing and will continue to as our hospital facilities increase. Dr. Liang is still in a key position and will be as long as he is with us. If he is allowed to stay, he will be recommended for promotion from instructor to assistant professor since he is doing work commensurate with that rank. As you could tell from his letter, Dr. Liang has some difficulty in getting the right words in the proper sequence but he does put the point across. He is an excellent teacher and supervisor in the operating room and the detail of

his research work is above reproach. I would like to keep Dr Liang with me as a professional associate and friend. I sincerely hope your efforts in his behalf will be successful. Thank you.

Sincerely,

ROBERT B. DODD, M. D.,
Professor and Head, Department of Anesthesiology.

N. B.—In an earlier communication from Dr. Arnold (April 14, 1955) it was stated that Dr. Liang's commanding officer in the Chinese Army, Dr. Robert K. S. Lim, was now professor of physiology at the University of Chicago. The title was in error. Dr. Lim, a world-renowned physiologist, was visiting research professor of clinical science at the University of Illinois School of Medicine upon his return to the United States after World War II. Since both schools are in Chicago and Dr. Lim had been associated with the University of Chicago before Dr. Liang met him in China, the confusion is understandable. Dr. Lim is now head of the Miles-Ames Research Laboratories in Elkhart, Ind.

I am enclosing two copies of Dr. Liang's clearance by the Baltimore City Police Department.

ROBERT B. DODD, M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1846), as amended, should be enacted.

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Calendar No. 1584

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1561

MARIA GUADALUPE SHOCKLEY AND HER MINOR DAUGHTER, EVANGELINE VEGA SHOCKLEY

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1889]

The Committee on the Judiciary, to which was referred the bill (S. 1889) for the relief of Maria Guadalupe Shockley and her minor daughter, Evangeline Vega Shockley, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On line 5, strike the name "Evangeline" and insert in lieu thereof the name "Evangelina".
2. Amend the title to read:

A bill for the relief of Maria Guadalupe Shockley and her minor daughter, Evangelina Vega Shockley.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Maria Guadalupe Shockley and her minor daughter, Evangelina Vega Shockley. The bill provides for the payment of the required visa fees. No quota charges are provided for in the bill inasmuch as the beneficiaries are entitled to nonquota status as natives of Mexico. The bill has been amended to correct the spelling of the minor beneficiary's name.

STATEMENT OF FACTS

The beneficiaries of the bill are mother and daughter, and they are 39- and 16-year-old natives and citizens of Mexico, respectively. They last entered the United States during June 1945 as visitors. The adult beneficiary was married on May 23, 1945, to Clarence Shockley, a United States citizen. In 1946, a citizen child was born to the couple. In 1952, Mr. Shockley died, and since then, the adult beneficiary has been employed as a housekeeper and is the sole support of the minor beneficiary, as well as the citizen child. It is stated that because of the family's limited finances, it would be difficult for the beneficiaries to depart from the United States to apply for visas.

A letter, with attached memorandum, dated June 15, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 15, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1889) for the relief of Maria Guadalupe Shockley and her minor daughter, Evangeline Vega Shockley, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Miami, Fla., office of this Service, which has custody of those files. According to the records of this Service the correct name of the minor beneficiary is Evangelina Vega Shockley. They are also beneficiaries of S. 1544, 84th Congress.

The bill would grant the beneficiaries permanent residence in the United States upon payment of the required visa fees.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARIA GUADALUPE SHOCKLEY AND MINOR DAUGHTER, EVANGELINA VEGA SHOCKLEY, BENEFICIARIES OF S. 1544 AND S. 1889, 84TH CONGRESS

The beneficiaries, Maria Guadalupe Shockley and her daughter, Evangelina Vega Shockley, both natives and citizens of Mexico, were born on November 11, 1916, and May 27, 1939, respectively. They last entered the United States at Laredo, Tex., during June 1945 at which time they were admitted as temporary visitors. Deportation proceedings were instituted and they have been found deportable from the United States on the ground that, after admission as visitors, they remained in the United States for a longer period than permitted. The privilege of departing voluntarily from the United States in lieu of deportation has been accorded them, but to date they have failed to avail themselves of that privilege.

Mrs. Shockley married Clarence Shockley, alleged to have been a United States citizen, on May 23, 1945. Mr. Shockley died at Hialeah, Fla., on January 31, 1952. A child, Princess Mary Shockley, was born to this union in Miami, Fla., on June 6, 1946. The beneficiary, Evangelina Vega Shockley, was born out of wedlock of unknown paternity. Mrs. Shockley is the sole support of the two children who reside with her.

Mrs. Shockley has been employed as a housekeeper by Mr. and Mrs. Tom Joyce, 865 West 49th Street, Miami, Fla., for the past 3 years at a salary of $225 per month. This is her sole source of income. Her assets consist of approximately $1,000 worth of household furnishings.

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Senator William E. Jenner, the author of the bill, submitted the following letters in support of the bill:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
June 30, 1955.

Re Maria Guadalupe Shockley and Evangeline Vega Shockley (minor child), S. 1889

Hon. HARLEY M. KILGORE,
Chairman, Immigration Subcommittee,
Senate Office Building.

DEAR HARLEY: I am writing you regarding the bill which I introduced for Mrs. Maria Guadalupe Shockley and her minor daughter, Evangeline Vega Shockley.

Mrs. Shockley is a domestic employed by a friend of mine, Tom Joyce, of Miami and Indianapolis. She married Clarence Shockley, an American citizen, in Mexico in 1945. Mr. Shockley died January 31, 1952, leaving Mrs. Shockley with her minor daughter and another child born of this marriage.

Mrs. Shockley has been in the employ of Mr. Joyce for several years and it is her desire to establish permanent residence for herself and daugher in order that they may become American citizens.

Your consideration to act favorably on this bill will be greatly appreciated by me.

Thank you and with kind regards.

Sincerely yours,

WILLIAM E. JENNER.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
December 14, 1955.

Re Maria Guadalupe Shockley and Evangeline Vega Shockley (minor child), S. 1889.

Hon. HARLEY M. KILGORE,
Chairman, Immigration Subcommittee,
Senate Office Building.

DEAR HARLEY: There is pending in the Immigration Subcommittee a bill which I introduced in behalf of Maria Guadalupe Shockley and her minor child, Evangeline Vega Shockley.

As I indicated to you June 30, 1955, Mrs. Shockley is employed as a domestic by a friend of mine, Tom Joyce, of Miami and Indianapolis. She married Clarence Shockley, an American citizen in Mexico in 1945. Mr. Shockley died, January 31, 1952, leaving Mrs. Shockley with her minor daughter by another marriage, and another child born of this marriage.

Mrs. Shockley is not financially able to leave the country and remain away an indefinite period until such time a permanent residence visa can be issued, and it would cause an extreme hardship on her to leave the minor child who is an American citizen, and to properly provide for the child in her absence.

In view of the circumstances in this case and the hardship it will cause this family if Mrs. Shockley is forced to leave the country, I would sincerely appreciate your favorable consideration of this bill.

Thank you and with kindest regards.

Cordially,

WILLIAM E. JENNER.

A similar bill, S. 1544, for the relief of the same beneficiaries, is pending before the committee. In view of the fact that the instant bill is being reported favorably, the bill, S. 1544, will be indefinitely postponed.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1889), as amended, should be enacted.

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Calendar No. 1585

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1562

VICTORINE (VICKY) SHALAM, JOHN SHALAM, AND CLAUDE SHALAM

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

(To accompany S. 1939)

The Committee on the Judiciary, to which was referred the bill (S. 1939) for the relief of Victorine (Vicky) Shalam, John Shalam, and Claude Shalam, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On line 4, strike the name "Victorine (Vicky) Shalam".
2. Amend the title to read:

A bill for the relief of John Shalam and Claude Shalam.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to John Shalam and Claude Shalam. The bill provides for appropriate quota deductions and for the payment of the required visa fees. The bill has been amended to delete the name of Victorine (Vicky) Shalam inasmuch as it appears that she is eligible for a second preference in the issuance of an immigration visa as the parent of a United States citizen.

STATEMENT OF FACTS

The beneficiaries of the bill are brother and sister and they are 22-year-old natives of Egypt and subjects of Great Britain. They

last entered the United States on September 17, 1948, as visitors, accompanied by their parents. Their status was subsequently changed to that of students. The male beneficiary received a bachelor of science degree in economics in June 1954 and is presently employed as a foreign trade trainee. The female beneficiary received a bachelor of science degree in physical education in June 1954. She is not employed and resides with and is supported by her mother. The beneficiaries have a sister who is a United States citizen, and a sister who resides in South America. In 1953, the father died.

A letter, with attached memorandum, dated September 2, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 2, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1939) for the relief of Victorine (Vicky) Shalam, John Shalam, and Claude Shalam, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the aliens permanent residence in the United States upon payment of the required visa fees. It would also direct that three numbers be deducted from the appropriate immigration quota.

The beneficiaries are chargeable to the quota for Egypt.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE VICTORINE (VICKY) SHALAM, JOHN SHALAM, AND CLAUDE SHALAM, BENEFICIARIES OF S. 1939

The beneficiaries, Victorine (Vicky) Shalam, John Shalam, and Claude Shalam, are a mother and her twin children, who were born on August 21, 1905, and December 10, 1933, respectively, in Egypt. They are subjects of Great Britain. The parent beneficiary is a widow who resides with her two children at 12 East 86th Street, New York, N. Y. Mrs. Shalam was graduated from high school in Cairo, Egypt. In 1924 she married Murad Shalam, a British subject, who died in New York City on September 25, 1953. She is presently the executrix of his estate, which is being litigated in the New York Surrogate's Court. Her potential share of this estate amounts to approximately $50,000. Mrs. Shalam has 2 other children, 1 a legal United States resident, and the other a resident of Colombia, South America. Other close relatives abroad are a brother and a sister who reside in Egypt.

John and Claude Shalam are unmarried. John Shalam was graduated from Wharton School of Finance of the University of Pennsylvania, in June 1954, with the degree of bachelor of science in economics. He is presently employed as a foreign trade trainee by the Continental Grain Co. in New York, N. Y., and earns $81 per week. His sister, Claude, was graduated from Skidmore College in Saratoga Springs, N. Y., in June 1954, with the degree of bachelor of science in physical education. She is not employed and is supported by her mother.

The beneficiaries arrived in the United States at New York, N. Y., as visitors on September 17, 1948, together with their late husband and father, and were admitted for a period of 3 months. Mrs. Shalam's status was subsequently changed to that of the wife of a treaty trader. The status of each child was changed to that of a student. Upon expiration of their respective periods of admission, the beneficiaries were given until March 30, 1955, to effect their departure from the United States. They failed to depart, whereupon warrants of arrest in deportation proceedings were issued against Mrs. Shalam and her children on April 29, 1955, and June 9, 1955, respectively, on the ground that they

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failed to comply with the terms of their nonimmigrant status. On May 16, 1955, and July 22, 1955, they were granted hearings on the aforementioned warrants of arrest. They were found deportable and were granted voluntary departure with the alternative of deportation if they fail to comply.

Senator Gordon Allott, the author of the bill, submitted the following memorandum prepared by the mother of the beneficiaries in support of the bill:

To Whom It May Concern:

My name is Vicky Shalem. I was born Vicky Harari, in Cairo, Egypt, on August 21, 1905.

I was educated at the Meres De Dieu school in Cairo, where I was a boarder until the age of 18.

In 1924, I married Murad Joseph Shalam, at the Eliahu Hannabi Temple, in Alexandria, and lived in that city until 1948. My husband was a British subject, through the birth of his father in the British Colony of Aden.

We had four children:

Jacqueline, born August 29, 1925, now married and living in Bogotá, Colombia.

Huguette, born September 11, 1928, now married to Lester Stroh, M. D., a United States citizen, and living in Ontario, Calif. Hugette Stroh will receive her naturalization papers as a United States citizen in April 1955. The Strohs have two daughters, Erica Jill, and Nicole Monette.

John and Claude (girl) both born on December 10, 1933, and at present residing with me in New York.

My husband and I arrived in this country on September 17, 1948, on an Anglo-American trade agreement visa. John and Claude came in at the same time, on visitor's visas which were changed to student visas 3 months later. John attended the Peekskill Military Academy for 2 years, and upon being graduated proceeded to the University of Pennsylvania, Wharton School of Finance and Commerce, where he received the degree of bachelor of science in economics. Claude attended the Knox School, in Cooperstown, N. Y. Upon being graduated, she proceeded to Skidmore College and received the degree of bachelor of science in physical education.

My late husband and I made a home in New York City for our children to come to on their vacations, and they grew up with the ideals of freedom and democracy instilled into their very souls. Having spent their formative years in this great country, the American way of life seems to them and I the only life worthwhile living.

Unfortunately, while my youngest children were still at the university, my husband passed away, on September 25, 1953. He is now buried in Catskill, N. Y. Since my husband's passing, I no longer have the privilege of remaining here on a trade-agreement visa, which was automatically renewed every year during his lifetime. My children and I cannot return to Egypt, as we have lost our residence there, and actually consider ourselves as refugees from the antagonistic attitude and persecution shown there against our creed.

The only place we might be able to turn to is Great Britain, but we have never lived there, and have no close relatives there. We are entirely unused to the way of life in England, and it would be extremely difficult for us to make yet another home, without friends or family in a country so strange to us. Both my children and I, having spent the last 6 years in the United States of America consider this great free country as our home and love it and are as loyal to it, as if it were our own. We have assimilated ourselves in American society. My second daughter has married a United States citizen and is creating a new family here.

Neither myself nor my children have ever been arrested at any time during our lives, and there is no evidence, police record, or other to show that we may be unreliable. I have never been a public charge, and we shall never become a liability to the United States. The enclosed letters from leaders in our community, attest to our high morality and good reputation.

I plead with the members of this legislative body to recognize my desperate position and to allow me and my children to remain in the country where we have found security. Not to separate me from my daughter and grandchildren, and also from the final resting place of my beloved husband. All I ask is that we be permitted to reside here and become loyal citizens, and not be sent to wander around the world in search of a place we can call home.

Senator Allott has introduced in the Senate a bill, S. 1399, for the relief of the mother of the beneficiaries of the instant bill. Inasmuch as her name was deleted from the instant bill, the bill, S. 1399, will be indefinitely postponed.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1939), as amended, should be enacted.

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Calendar No. 1586

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1563

DR. AND MRS. PETER CHOU-YUEN TCHEN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1987]

The Committee on the Judiciary, to which was referred the bill (S. 1987) for the relief of Dr. and Mrs. Peter Chou-Yuen Tchen, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. Strike all after the enacting clause and insert in lieu thereof the following:

That, for the purposes of the Immigration and Nationality Act, Doctor Peter Chou-Yuen Tchen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

2. Amend the title to read:

"A bill for the relief of Doctor Peter Chou-Yuen Tchen".

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Peter Chou-Yuen Tchen. The bill provides for an appropriate quota deduction and for the payment of the required visa fee. The bill has been amended to delete the name of Dr. Tchen's wife inasmuch as her status has been adjusted to that of a permanent resident.

STATEMENT OF FACTS

The beneficiary of the bill is a 33-year-old native and citizen of China, who last entered the United States on August 17, 1949, as a visitor. His status was subsequently changed to that of a trainee. The beneficiary is a physician and is presently employed as a resident physician at Ohio State Tuberculosis Hospital, as well as instructor in the college of medicine. He is recommended highly, both professionally and personally. His wife is a lawful permanent resident, having obtained an adjustment under section 6 of the Refugee Relief Act. She is employed as a research assistant in endocrinology at Ohio State University Hospital.

A letter, with attached memorandum, dated August 31, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 31, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1987) for the relief of Dr. and Mrs. Peter Chou-Yuen Tchen, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Cincinnati, Ohio, office of this Service, which has custody of those files.

The bill would grant the beneficiaries permanent residence in the United States upon payment of the required visa fees. It also directs that two numbers be deducted from the appropriate immigration quota or quotas.

The beneficiaries are chargeable to the quota for the Chinese.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE DR. AND MRS. PETER CHOU-YUEN TCHEN, BENEFICIARIES OF S. 0987

Dr. Peter Chou-Yuen Tchen was born on August 28, 1922; his wife, Lily Li-Ing Yang Tchen, was born on March 24, 1925. Both were born in Shanghai, China, and are citizens of China. They were married on April 26, 1949, in Shanghai, China, and are residing in Columbus, Ohio.

Dr. Tchen is a graduate doctor of medicine and is employed as a resident physician at Ohio State Tuberculosis Hospital, Columbus, Ohio. He is also serving as an instructor for the Ohio State University, Columbus, Ohio. He specialized in tuberculosis and its treatment, and has published several articles on this subject. He completed his medical studies at Catholic University, Shanghai, China, and served as an intern in various hospitals in New York State, as well as Ohio State University, Columbus, Ohio. Mrs. Tchen is also a graduate of Catholic University, Shanghai, China, and was graduated from University of Syracuse, Syracuse, N. Y., with a master of science degree in 1951. She is at present employed as a biochemist by Ohio State University, Columbus, Ohio. Their combined earnings are $750 per month. The widowed mother of Dr. Tchen and the parents of Mrs. Tchen are residents of Shanghai, China. Their only relatives residing in the United States are a brother of Dr. Tchen and a sister of Mrs. Tchen.

Both beneficiaries entered the United States on August 17, 1949, at New York. Dr. Tchen was admitted as a visitor for a period of 6 months. He subsequently applied for a change of status from that of a visitor to that of a trainee as contemplated by the provisions of the United States Information and Educational Exchange Act of 1949, as amended. His application was approved. Mrs. Tchen was admitted as a student and continued to maintain her status as such. They

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applied for adjustment of their immigration status under section 6 of the Refugee Relief Act of 1953 to have their status changed to that of permanent resident. Dr. Tchen's application received unfavorable action, as he was held to be an exchange alien as contemplated under Public Law 402, and was, therefore, ineligible. However, Mrs. Tchen's application received favorable consideration, and her application was recommended to be granted based upon congressional action. There is no record that the Congress has taken any action in her case.

A warrant of arrest in deportation proceedings was served on Dr. Tchen on July 14, 1955, on the ground that he had failed to maintain his nonimmigrant status as an exchange alien. A hearing under the warrant of arrest is pending and Dr. Tchen appears to be subject to deportation on the stated charge.

Senator John W. Bricker, the author of the bill, wrote to the chairman of the Senate Judiciary Committee on May 27, 1955, as follows in connection with the bill:

UNITED STATES SENATE,
May 27, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Senate Judiciary Committee,
United States Senate, Washington, D. C.

DEAR SENATOR: Enclosed herewith is copy of S. 1987, for the relief of Dr. and Mrs. Peter Chou-Yuen Tchen. For the guidance of your committee I am also enclosing a number of supporting documents. I shall greatly appreciate your giving this measure your most careful consideration.

Sincerely yours,

JOHN W. BRICKER.

The documents referred to in Senator Bricker's letter read, in part, as follows:

AUTOBIOGRAPHY

I, Peter Chou-Yuen Tchen, was born in Shanghai, China, on August 28, 1922. I am Chinese by race and by nationality. My family was considered well-to-do and I led a rather ordinary childhood and school life.

I was successfully graduated from primary and junior high schoolds. After the outbreak of Sino-Japanese war in 1937, I entered Aurora Senior High School which was run by French Jesuits. In 1941, I was admitted to the Law School of the Aurora Catholic University, and in the following year I was transferred to the medical school of the same university where I was graduated 7 years later with a degree of doctor of medicine. Between 1947 and 1949 I was president of my class. During all these polictically tumultuous years I never joined any political party either right or left. In April 1949, after the Chinese Communist Army crossed Yangtze River and was rapidly approaching Shanghai, I was married and left home in a hurry with my bride, who also graduated from the Chemistry Department of Aurora University. We followed the Nationalist Government to Canton, China, and in May 1949 we obtained the necessary passports. In July that year, American visa was granted by the American consulate in Hongkong. On August 17, 1949, we entered the United States at New York City by means of Air France via Europe. I was admitted as a nonimmigrant visitor.

The Chinese Communists formally proclaimed the establishment of People's Republic on October 1, 1949. From September 1949 to June 1950, I served my medical internship in Binghamton City Hospital, Binghamton, N. Y., and from July 1950 to June 1951, I continued my internship at St. Joseph's Hospital, Syracuse, N. Y., while my wife was doing postgraduate studies in biochemistry in Syracuse University. My status was changes on May 26, 1950, from that of a visitor under section 3 (2) of the 1924 act to that of an exchange visitor. In July 1951, my wife graduated with the degree of master of science in chemistry. I was awarded a fellowship by the American Committee of Shanghai Antituberculosis Association, and began my training in the tuberculosis field at Grasslands Hospital in Westchester County, N. Y. In July 1953 I was appointed as senior resident at Ohio Tuberculosis Hospital and assistant instructor in the department of medicine of the College of Medicine of Ohio State University. Since July 1954 I have been chief resident in the medical service of Ohio Tuberculosis Hospital, as well as instructor in the college of medicine. My wife is serving in the capacity of research assistant in endocrinology department of Ohio State University Hospital.

My present address is 1707 Northwest Boulevard, Columbus 12, Ohio. I belong to Episcopal St. Stephen's Church on the campus.

PETER C. Y. TCHEN, M. D.

90006°—57 S. Rept., 84-2, vol. 6——47

STATE OF OHIO,
OHIO TUBERCULOSIS HOSPITAL OF THE
DEPARTMENT OF HEALTH,
January 5, 1955.

Re Peter C. Y. Tchen, M. D., chief resident, medical service, Ohio Tuberculosis Hospital, Columbus, Ohio.

To Whom It May Concern:

The above-mentioned physician has served on the resident staff of this hospital since July 1, 1953. At the present time, he is the chief resident physician of the medical service. During the current year he has been an instructor in the department of medicine of the College of Medicine of Ohio State University, having been promoted from the grade of assistant instructor, which he held during the college year of 1953–54.

This letter is being written with the hope that it will be of some assistance to Dr. Tchen in his obtaining the status of a permanent resident in the United States. It is my opinion that his permanent presence here would be an asset to the country. He is intelligent and reliable. He has received a thorough medical training and can therefore offer his skill and knowledge in this field and in the specialty of diseases of the chest.

Dr. Tchen's wife is a research associate in endocrinology at the university hospital of Ohio State University. She has had special training in chemistry and has worked for a number of years in this field.

I can recommend Dr. Tchen without reservation, both as a person and as a physician.

R. H. BROWNING, M.D.,
Director and Professor of
Medicine in Chest Diseases.

THE OHIO STATE UNIVERSITY
COLLEGE OF MEDICINE,
Columbus, May 7, 1955

JOHN W. BRICKER,
United States Senate, Senate Office Building,
Washington, D. C.

DEAR SENATOR BRICKER: I have been asked by Dr. Robert H. Browning, professor of medicine in the Department of Medicine, Ohio State University, and director of the Ohio Tuberculosis Hospital, to confirm to you the fact the Dr. Peter C. Y. Tchen has been chief resident physician in chest diseases, and instructor in the department of medicine on this campus, since July 1, 1953 It is my understanding that he is attempting to obtain the status of a permanent resident in the United States. Both because of the quality of his medical training and experience to date, and because of the situation which continues uncertain in the Far East, it would seem that it would be in the best interests of all concerned if Dr. Tchen could be permitted to remain as a part of our own medical profession in this country.

Very sincerely yours,

CHARLES A. DOAN, M. D., *Dean.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1987) as amended, should be enacted.

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Calendar No. 1587

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1564

MARY TARLICH GOLDSTEIN

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2304]

The Committee on the Judiciary, to which was referred the bill (S. 2304) for the relief of Mary Tarlich Goldstein, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On line 4, strike the name "Tarlich" and insert in lieu thereof the name "Parlich".

2. On line 7, change the period to a colon and add the following:

Provided, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

3. Amend the title to read:

A bill for the relief of Mary Parlich Goldstein.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mary Parlich Goldstein. The bill provides for the payment of the required visa fee. No quota charge is provided for in the bill inasmuch as the beneficiary is entitled to nonquota status as the spouse of a United States citizen. The bill has been amended to provide for the posting of a bond as a guaranty that the beneficiary will not become a public charge, and to correct the spelling of the beneficiary's name.

STATEMENT OF FACTS

The beneficiary of the bill is a 40-year-old native and citizen of Canada who last entered the United States on October 12, 1952, as a visitor. She first entered the United States on December 12, 1946, as a visitor, and has resided in this country since that time except for a 1 month visit to Canada prior to her last entry. The beneficiary was married on June 27, 1946, to Max Goldstein, a United States citizen. The beneficiary was denied an immigrant visa on September 6, 1946, on the ground that she had had a previous attack of insanity. It is stated that the beneficiary's emotional difficulties of some years ago have been completely cleared up. The beneficiary's citizen husband is a mathematician and has made significant contributions to the advancement of atomic weaponeering.

A letter, with attached memorandum, dated December 22, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 22, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2304) for the relief of Mary Tarlich Goldstein, there is attached a memorandum of information concerning the beneficiary. According to the records of this Service, the correct name of the beneficiary is Mary Parlich Goldstein. The attached memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Albuquerque, N. Mex., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee.

Sincerely,

———— ————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARY PARLICH GOLDSTEIN, BENEFICIARY OF S. 2304

The beneficiary, who was born May 18, 1915, is a native and citizen of Canada. She was married on June 27, 1946 at Montreal, Quebec, Canada to Max Goldstein, a native and citizen of the United States, and they reside at 1441–A 43d Street, Los Alamos, N. Mex. They have no children. She is a high school graduate and received secretarial training. She was employed as a secretary in Canada for 15 years. She is now a housewife and is supported by her husband who is employed as a staff member, Los Almos Scientific Laboratories, Los Alamos, N. Mex. at a salary of $10,000 a year. Her parents and a sister reside in Canada.

The beneficiary states that she first entered the United States December 12, 1946 as a visitor and that following a visit to Canada of about 1 month she last entered the United States about October 12, 1952 as a visitor through La Guardia Airport, N. Y. The Immigration and Naturalization Service has been unable to verify either entry. Deportation proceedings were instituted against her on March 5, 1954 and she appears to be subject to deportation on the ground that at the time of her last entry into the United States she was an immigrant not in possession of a valid immigrant visa.

The beneficiary was denied an immigrant visa by the American Consul, Montreal, Quebec, Canada, September 6, 1946 on the ground that she had had a previous attack of insanity.

Senator Clinton P. Anderson, the author of the bill, has submitted the following information in support of the bill:

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CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON ATOMIC ENERGY,
June 23, 1955.

Hon. HARLEY M. KILGORE
Chairman, Senate Judiciary Committee.

DEAR SENATOR KILGORE: As you know, I have just introduced a private bill in the Senate for the relief of Mary Tarlich Goldstein. The purpose of this bill is to adjust Mrs. Goldstein's immigration status.

Mrs. Goldstein was born in Montreal, Canada, on May 18, 1917, and entered the United States on October 12, 1952, as a visitor. Her parents presently reside in Canada. Mrs. Goldstein is the wife of Dr. Max Goldstein, a mathematician employed at Los Alamos, N. Mex., by the University of California, a contractor to the Atomic Energy Commission. Dr. Goldstein has served in the theoretical division of the laboratory and has made significant contributions to the advancement of atomic weaponeering. In this regard Dr. Goldstein has had access to highly classified restricted data.

It is our understanding that Mrs. Goldstein has been unable for some years to obtain a visa which would permit her lawful residence in the United States. This has been traceable to emotional difficulties of some years ago which resulted in Mrs. Goldstein's hospitalization. We have been led to understand that this problem no longer exists.

Dr. Goldstein has expressed his intention of returning to Canada with Mrs. Goldstein should she be unable to lawfully reside in the United States and I believe that his departure from the country would not be in the national interest both because of his ability to contribute and because of the high access he has had to national defense secrets. Recently this matter was discussed at a meeting of the full Joint Committee on Atomic Energy and it was the sense of the committee that every assistance be rendered to the Goldstein family.

I would request that the Justice Department be asked to report to you on this matter.

Thank you very much for your cooperation.

Sincerely yours,

CLINTON P. ANDERSON,
Chairman.

LOS ALAMOS, N. MEX., *June 28, 1955.*

Hon. HARLEY M. KILGORE,
Chairman, Senate Judiciary Committee,
Senate Office Building, Washington, D. C.

DEAR SENATOR KILGORE: I have seen a copy of Senate bill 2304, a bill for the relief of Mary Tarlich Goldstein. I appreciate very much having this bill filed on my behalf. However, I would like to call the attention of your committee to a minor misspelling. My middle name (maiden name) is Parlich rather than Tarlich as it appears in the bill.

I have been informally advised that certain United States documents might have the latter spelling, but if so it is an inadvertence.

Respectfully yours,

MARY P. GOLDSTEIN.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2304), as amended, should be enacted.

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Calendar No. 1588

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1565

ANNA ABBENE

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2495]

The Committee on the Judiciary, to which was referred the bill (S. 2495) for the relief of Anna Abbene, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On line 4, after the number (7), insert "and (25)".
2. On line 7, change the period to a colon and add the following:

Provided, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *and provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provisions of existing law relating to one having a physical defect, disease, or disability of a nature as to affect the ability to earn a living and one physically capable of reading who cannot read and understand some language or dialect, in behalf of the sister of a United States citizen. The bill, as introduced, did not waive both grounds for exclusion and the bill has been amended accordingly. The bill has been further amended to conform the language with established precedents.

STATEMENT OF FACTS

The beneficiary of the bill is a 66-year-old native and citizen of Italy, who presently resides in that country. She resided in the United States from 1910 to 1924, when she returned to Italy to visit her mother. Her only relatives are a brother and two sisters who reside in this country and are United States citizens. Her parents are now dead. The beneficiary has been a deaf-mute since the age of 3, and is supported by her citizen brother and sisters. If permitted to enter the United States, the beneficiary will reside with her brother, who states that he will furnish the beneficiary a home and all necessities for the rest of her life. Without the waivers provided for in the bill, the beneficiary will be unable to qualify for a visa to enter the United States to join her family.

A letter, with attached memorandum, dated November 14, 1955, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 14, 1955.

Hon. HARLEY M. KILGORE,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2495) for the relief of Anna Abbene, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would waive the provisions of section 212 (a) (7) of the Immigration and Nationality Act, which exclude from admission into the United States aliens who have a physical defect of such a nature that it may affect their ability to earn a living, and would authorize the alien's admission for permanent residence, if she is found to be otherwise admissible under the provisions of that act. It is to be noted, however, that the beneficiary was denied an immigrant visa under section 212 (a) (25) of the Immigration and Nationality Act, which excludes aliens who cannot read and understand some language or dialect.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ANNA ABBENE, BENEFICIARY OF PRIVATE BILL S. 2495

Information concerning the beneficiary was furnished by her brother, Antonio Abbene, who resides at 8414 14th Avenue, Brooklyn, N. Y.

The beneficiary, Anna Abbene, is a native, citizen, and resident of Italy, who was born on December 18, 1889. She is unmarried. Miss Abbene has been a deaf-mute since the age of 3 and has never attended school. She resided in the United States from 1910 to 1924. She is not employed and is supported by relatives in the United States. Her only close relatives are a brother and two sisters who are United States citizens. Mr. Abbene states that the beneficiary was denied an immigrant visa by the American consul at Palermo, Italy, in March 1955 under section 212 (a) (25) of the Immigration and Nationality Act because she is unable to read and understand some language or dialect.

Mr. Abbene was born in Italy on September 24, 1891. He has been in the United States since February 1907 and was naturalized in March 1915. He is a widower and resides with a married daughter. He is a barber by trade and has been employed by the Terminal Barber Shops in New York City since 1928. He earns an average of $100 per week. His assets consist of $1,000 in a savings account, United States Government bonds valued at $3,000, a one-family house in which he resides which he values at $25,000, and personal property valued at $5,000. Mr. Abbene states that he will furnish the beneficiary a home and all necessities when she arrives in the United States.

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Senator Irving M. Ives, the author of the bill, has submitted the following information in support of the bill:

THE FOREIGN SERVICE,
OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Palermo, Italy, August 9, 1955.

Hon. IRVING M. IVES,
United States Senate.

DEAR MR. IVES: Your letter of July 21, 1955, addressed to Consul General Keeley, arrived here on August 8, just at a time when Mr. Keeley is temporarily away from his office. In his absence I will undertake to supply you with pertinent information on the immigrant visa case of Miss Anna Abbene, of Menfi, Agrigento, Italy. Miss Abbene is a sister of Mr. Antonio Abbene, of Brooklyn, N. Y.

On March 8, 1955, the consulate general informally refused a visa to Miss Abbene under the provisions of section 212 (a) (25) of the Immigration and Nationality Act. As you know, this portion of the act stipulates that no visa may be issued to a person over 16 years of age who is physically capable of reading and who cannot read and understand some language or dialect. Despite the fact that she is a deaf-mute, it has been decided, after careful consideration, that Miss Abbene does not come within any of the exemptions to this reading requirement.

Prior to the suspension of this case on the basis of this refusal, Miss Abbene's case had reached the stage at which she was ready to be invited for a preliminary interview with a visa officer. Following this interview, the next step in the processing of her case would have been the initiation of the investigation required by the Refugee Relief Act of 1953, as amended. The investigation usually takes several months to complete after which the applicant is invited for a medical examination and to make formal application for a visa. If, at this time, the applicant is found eligible to receive a visa, it is normally issued on the following workday.

Inasmuch as you have introduced legislation for the relief of Miss Abbene, the consulate general will continue with the processing of her case as outlined above at the point at which it was suspended last March. This action should help to insure that Miss Abbene will be eligible to receive a visa soon after the special legislation in her behalf is passed by the Congress.

I sincerely hope that this information will prove adequate for your purposes. If the consulate general can be of any further service in this case, please do not hesitate to write again.

Sincerely yours,

DAVID L. GAMON,
American Consul
(For the Consul General).

NEW YORK CITY MISSION SOCIETY,
New York, N. Y.

STATISTICAL INFORMATION REGARDING MISS ANNA ABBENE

1. Miss Anna Abbene was born December 18, 1889, in Memfi, Province Di Agrento, Sicily.
2. Miss Abbene has never married.
3. Miss Abbene was approved for immigration and was called to the consul general's office in Palermo, Italy. Because she is deaf and dumb and unable to read and write she was refused permission to come into the United States. Her present status is therefore suspended pending further action.
4. She lived in America for a period of 14 years, returning to Italy in 1924. She has been there ever since anxiously awaiting an opportunity to be reunited with her family in America.
5. Miss Abbene has had no formal education because of her defects in hearing and speech.
6. If she enters the United States she will be a housekeeper for her brother, who has already guaranteed her position and support.
7. Father, Vincent Abbene; mother, Grazia Cattano Abbene. Both have been dead for many years.

8. Her family in the United States, all citizens of this country, are as follows: Antonio Abbene, brother, 8414 14th Avenue, Brooklyn, N. Y.; Katie Noto, sister, 8408 14th Avenue, Brooklyn, N. Y.; Sarah Rapottalla, sister, 1054 82d Street, Brooklyn, N. Y.

9. Reasons for private bill: Miss Anna Abbene for many years has been alone in Italy. The two sisters and brother now living in the United States have been supporting her through these years and have been working toward the day when they might be together as a family. Because of her affliction her loneliness has increased with the years. The letters she has had written for her to her family have caused great concern for her. Mr. Abbene visited Italy last year at great expense just to bring some comfort. We believe that the case can be classified as a hardship case because of the great disturbance and anxiety that are caused by the separation.

10. As above.

11. She has never been arrested.

12. No military service.

13. No organizations or clubs.

14. She does not now live in the United States. Address in Italy: Via Garibaldi Cortila 13, No. 7 Fiorini Memfi, Province Di Agrigento, Sicily.

15. If permitted to enter the United States she will reside permanently in New York State.

16. [Blank].

17. See enclosures.

18. Miss Abbene is now in Italy and has gone through the necessary steps to obtain a visa under the Refugee Relief Act. She was refused for the above-stated reasons, namely inability to read or write because of her affliction.

19. Every possible way has been exhausted to help Miss Abbene come to the United States.

20. Mr. Antonio Abbene, brother, is sponsoring her. She will work for him as a housekeeper.

ELMONT, LONG ISLAND., N. Y., *June 28, 1955.*

Hon. IRVING IVES,
Senate Office Building, Washington, D. C.

DEAR SENATOR IVES: I have been asked by Mr. Antonio Abbene to write this letter of recommendation to you in reference to my acquaintance with him, his family and, in particular, with his sister Anna.

Mr. Abbene and his family have been known to me since birth as we came from the same town in Italy. I migrated to America with him in the early nineteen hundreds and have lived in the same neighborhood for many years. I know the family to be decent, trustworthy, and law-abiding citizens.

Anna Abbene was in this country from 1910 to 1924 during which time she tended to her family and later on to her ailing mother. If it had not been for her mother's illness, Miss Abbene would have stayed in this country. When her mother passed away she was left stranded and because of war conditions. Mr. Abbene has not been successful in bringing her back to America.

Consequently, I ask that you do all in your power to help Mr. Abbene realize his wish.

Respectfully yours,

PERTER CATALANO.

BROOKLYN, N. Y., *May 25, 1955.*

To Whom It May Concern:

This is to certify that I have known Mr. Antonio Abbene, of 8414 14th Avenue, Brooklyn, N. Y., for about 8 years. During that period I have been his family physician and I have known him intimately enough to recognize his honesty and loyalty. I know that his income and means are such that he could more than adequately support his sister, Miss Anna Abbene, who is now a resident in Italy. He has been a regular and faithful supporter of his sister through these years.

An application for Miss Abbene to come to this country as an immigrant was sent out by Mr. Abbene and approved to the point of issuing her visa. But the consul general at Palermo informed her that due to physical defects, i. e., deaf and dumb, which made her unable to read and write, she was not eligible to enter the United States. At one time she lived in the United States, 1910–24. In 1942 she returned to Italy, but due to circumstances she never returned.

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In view of these circumstances, we are requesting that a special bill be presented in her favor, in order that she may be brought together with her family, so that they may live happily and comfortably and never become public charges. I strongly recommend that this be done if possible.

Very truly yours,

JOHN J. MOLLICA, M. D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2495), as amended, should be enacted.

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Calendar No. 1589

84TH CONGRESS, 2d Session | SENATE | REPORT No. 1566

JULIAN, DOLORES, JAIME, DENNIS, ROLDAN, AND JULIAN, JR., LIZARDO

FEBRUARY 20, 1956.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4039]

The Committee on the Judiciary, to which was referred the bill (H. R. 4039) for the relief of Julian, Dolores, Jaime, Dennis, Roldan, and Julian, Jr., Lizardo, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. On page 2, strike section 2.
2. Amend the title to read:

An Act for the relief of Julian, Dolores, Roldan, and Julian, Junior, Lizardo.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Julian, Dolores, Roldan, and Julian, Jr., Lizardo. The bill provides for appropriate quota deductions and for the payment of the required visa fees. The bill has been amended to delete the names of two of the minor beneficiaries who are not residing in the United States. The bill, as it passed the House of Representatives classified them as nonquota immigrants, which would, in effect, direct that nonquota visas be issued them.

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STATEMENT OF FACTS

The beneficiaries of the bill are husband, wife, and two minor children, and they are all natives and citizens of the Philippine Islands. The adult male beneficiary last entered the United States on November 28, 1951, as a visitor, and his wife and two children last entered the United States on June 6, 1952, also as visitors. The adult male beneficiary came to this country pursuant to arrangements with the Bureau of Animal Industry, United States Department of Agriculture to work as a veterinary meat inspector. He is a qualified veterinarian, and the Personnel Division of the Bureau of Animal Industry states that it is extremely difficult to recruit and retain a sufficient number of qualified persons to meet their needs in this field. The adult beneficiaries have 1 child who was born in this country, in addition to the 2 minor alien beneficaries. Two other children reside in the Philippines.

A letter, with attached memorandum, dated July 20, 1954, to the then chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to H. R. 7809, which was a similar bill introduced in the 83d Congress, reads as follows:

JULY 20, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7809) for the relief of Julian Soverano Lizardo, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill is intended to grant permanent residence in the United States to the beneficiary upon payment of the required visa fee. It also provides the deducting of one number from the appropriate quota.

As a native of the Philippine Islands, the beneficiary would be chargeable to the quota for the Philippine Islands.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING JULIAN SOVERANO LIZARDO, BENEFICIARY OF H. R. 7809

Julian Soverano Lizardo was born on October 18, 1909, at Maragondon, Cavite, Philippine Islands, and is a citizen of that country. He last entered the United States at San Francisco on November 28, 1951, and was admitted as a temporary visitor. He came to this country pursuant to arrangements with the Bureau of Animal Industry, United States Department of Agriculture, and went to work for that agency on November 29, 1951. He has a civil service classification of veterinary meat inspector at a base pay of $5,060 per annum. He was 1 of 5 Filipinos who came to this country for employment by the Bureau of Animal Industry as veterinarians, all of whom were employed as meat inspectors. A determination has been made by this Service that aliens so admitted cannot continue to remain indefinitely in this country in a permanent type of employment unless they acquire status as permanent residents under the immigration law. The last extension of his temporary stay will expire on June 30, 1954.

The beneficiary's wife, Dolores Lizardo, and their two children, Julian and Roldon, were admitted to the United States June 6, 1952, also as temporary visitors. Their temporary stay has been extended to June 5, 1954. They have 1 child born in the United States, and 2 other children who remained in the Philippines.

Mr. Lizardo is a graduate of Manila University and is a qualified veterinarian. He last resided at Baguio, Philippine Islands, where he was superintendent of Government stock farms. He has recently been transferred by the Department of Agriculture from south San Francisco to Marysville, Calif.

Congressman John E. Moss, the author of the bill, submitted the following letters in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 5, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: With reference to your letter of June 3 concerning H. R. 1550 and H. R. 4039 for the relief of the Lizardo family, I am enclosing correspondence I received today which pertain to the need of Mr. Lizardo's employers for his services.

Sincerely,

JOHN E. MOSS.

MARYSVILLE, CALIF., *July 1, 1955.*

Hon. JOHN E. MOSS, Jr.,
House of Representatives, Washington, D. C.

DEAR SIR: I have the honor to send herewith enclosed the papers I received today from the Meat Inspection Branch, United States Department of Agriculture, Washington, D. C.

The fact that the United States Department of Agriculture is sponsoring our petition for classification of quota immigrant for alien whose services are needed urgently in the United States and the attached statement concerning the acute shortage in veterinary services for Federal meat inspection would be sufficient enough to indicate the need of my services.

I hope that these papers are not late for the reconsideration of our private bill

Very respectfully,

JULIAN S. LIZARDO.

FEBRUARY 23, 1954.

Mr. A. C. DEVANEY,
Assistant Commissioner, Inspections and Examinations Division,
Immigration and Naturalization Service,
Department of Justice, Washington, D. C.

DEAR MR. DEVANEY: This has reference to your letter of February 4, 1954 (file 56337/755E&D) regarding the 9 Filipino veterinarians who came to the United States approximately 2 years ago as nonimmigrants for temporary admission for the purpose of employment by us on Federal meat inspection work in a veterinary capacity. I am replying to your letter inasmuch as the veterinarians under discussion who are still in the United States are all employed by the Meat Inspection Branch of the Agricultural Research Service (formerly designated as the Meat Inspection Division of the Bureau of Animal Industry).

Your letter states that it has been concluded that these Filipino veterinarians should now be required to depart from the United States and you request our cooperation in assisting your Service to effect the departure of them with a minimum of difficulty and inconvenience. We must admit at the outset that your current position in this matter comes as a distinct surprise and shock to us. The principal reason for this of course, is the decision contained in your letter of February 4, 1952 (file 1610–8788) on this same subject, from which the following is quoted:

"Notwithstanding the foregoing, this Service will take no action looking toward the enforced departure of the 7 Filipino nationals already imported by your Bureau while these aliens continue to maintain their present temporary appointment status in your Bureau, nor will the Service take action to debar the 3 prospective importees previously referred to. Our decision in these cases is based on equitable principles. Specifically, it is clear that the Government agencies involved, as well as the aliens, acted in good faith in completing the employment and visa arrangements and our records reflect that this Service, prior to the issuance of the visas and without full knowledge of facts, had informally advised

the Department of State to the effect that the nature of the employment involved did not preclude the classification of these aliens as nonimmigrants. It is to be understood, of course, that the favorable decision made in the cases under reference must be limited to those cases. * * * Also, to avoid any misunderstanding, it would be well to advise those aliens already imported in a nonimmigrant status that the terms of their admission require their departure from the United States upon termination of their employment with your Bureau."

Upon receipt of your letter of February 4, 1952, we immediately conveyed to all of the Filipino veterinarians involved the substance of your decision, including your statements that you would take no action looking toward their enforced departure while they continued to maintain their temporary appointment status with our organization and that the terms of their admission required their departure from the United States upon termination of their employment with us.

It will be noted that your original decision in these cases contained no limitation with respect to the length of time these Filipino veterinarians could remain in the United States as nonimmigrants, the only stipulation being that their remaining here was contingent upon their continuing to maintain their temporary appointment status with our organization, and it being specifically stated that no action looking toward their enforced departure would be taken while such is the case. We believe you will agree with us that we were perfectly justified in accepting your original decision at its face value, and the same thing quite naturally applies to the Filipino veterinarians themselves. Under these circumstances, it is most difficult for us to understand the basis for your current position as outlined in your recent letter. This is particularly true since there has been no change whatsoever in the employment situation of these Filipino veterinarians since your original decision was rendered. In other words, all of them who are still with us are continuing to maintain their temporary appointment status and we are still confronted with the perplexing problem of an insufficient number of veterinarians to properly conduct Federal meat inspection activities. From a purely selfish standpoint, we cannot afford to lose these veterinarians if it can possibly be avoided, as all of them have been performing their duties in a very creditable manner as evidenced by the fact that they have all received grade promotions since entering our service and they are now well trained, proficient, and extremely valuable to us, in carrying out our Federal meat inspection responsibilities. It is our sincere hope therefore, that you will reconsider the matter and agree to abide by the specific terms of your letter of February 4, 1952, and thereby permit these Filipino veterinarians to remain in the United States as nonimmigrants while they continue to maintain their temporary appointment status with us.

In compliance with your request, we are furnishing below the names and present locations of the Filipino veterinarians who are still employed by us on a temporary basis in a nonimmigrant status: Primitivo M. Baluyut, Cincinnati, Ohio; Marciano V. de Vera, Omaha, Nebr.; Julian S. Lizardo, Marysville, Calif.; Pacifico C. Rubio, Cincinnati, Ohio; Mario S. Tongson, Omaha, Nebr.

As indicated in your letter, Mrs. Norma S. Baluyut resigned from our organization effective at the close of June 30, 1953, to return to the Philippine Islands. She is the only one of the nine Filipino veterinarians originally employed by us in a nonimmigrant status who has resigned.

Following the passage of the Immigration and Nationality Act, which became effective December 24, 1952, we filed Form I–129: Petition for Classification of Quota Immigrant for Alien Whose Services are Needed Urgently in the United States, for each of these Filipino veterinarians (except Mrs. Norma S. Baluyut), in which we sponsored preferred immigration status in accordance with section 203 (a) (1) of the act. This petition was approved in each case by the Immigration and Naturalization Service and as a result thereof three of these Filipino veterinarians have already returned to the Philippine Islands to obtain immigrant visas and have been readmitted to the United States for permanent residence. These individuals are Dr. Angel M. Galang, Dr. August L. Cruz, and Dr. Jorge S. Simon.

The five Filipino veterinarians who are still here in a nonimmigrant status have been in communication with the American consul at Manila about their immigrant visas and there is every reason to believe that they will be able to return to Manila in due course for the purpose of obtaining such visas and reentering the United States for permanent residence. Although it is realized that immigration quota for the Philippine Islands is oversubscribed, we are confident that within a reasonable period they will be able to obtain first preference immigrant visas in accordance with the provisions of section 203 (a) (1) of the Immigration and Nationality Act. It is quite possible that your current decision may have been

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influenced by the thought that the likelihood of these veterinarians obtaining immigrant visas is rather remote. In that event, it is urged that in the reconsideration of this matter as requested herein, due account be taken of the fact that 3 of these Filipino veterinarians already have obtained immigrant visas and that no reason is perceived why the remaining five cannot likewise do so within a reasonable period. It is our honest belief that this constitutes a further meritorious basis for permitting them to remain in this country in their nonimmigrant status while they continue to hold temporary appointments with our organization. If you can see your way clear to do this, you may rest assured that we shall continue to do everything possible to assist these five veterinarians in obtaining immigrant visas so that they can be readmitted to the United States for permanent residence.

Inasmuch as it appears that the reopening of the cases of all of these Filipino veterinarians stemmed from the form I–129B which we filed in the case of Dr. Primitivo M. Baluyut, we should like to explain the circumstances surrounding the submission of that particular form for him in February of 1953. In connection with the efforts of Dr. Baluyut to obtain permission of the Immigration and Naturalization Service for an extension of his stay in the United States, we furnished him a statement certifying to his continuing employment with our organization on a temporary basis. Previous to this, similar statements from us had sufficed for the purpose of these Filipino veterinarians obtaining approval of extensions of their stay in this country. In this instance, however, the Cincinnati office of the Immigration and Naturalization Service stated that the application for extension of stay must be accompanied by a fee of $10 and a petition from us on form I–129B. In the preparation of this petition we furnished as complete and accurate information as was possible, which is the practice we have consistently followed in all matters pertaining to these Filipino veterinarians. This accounts for the fact that we indicated in such petition our desire to employ him for an unknown period of time. Apparently that is a contributing factor to the denial of his request for an extension of stay in this country. If such is the situation, it is requested that you reconsider this particular aspect of his case and grant him permission to extend his stay in the United States for a specific temporary period. We would appreciate it if approval for the extension of his stay until June 30, 1955, could be granted. If approval for that length of time cannot be granted, however, we would be most grategul for your approval of the extension of his stay for whatever additional temporary period is permissible.

To summarize this entire situation as we visualize it, the enforced departure of the five Filipino veterinarians who are still here in a nonimmigrant status and are continuing to hold temporary appointments with us would not be beneficial to our organization, to the Immigration and Naturalization Service, nor to the Filipino veterinarians themselves. On the other hand, the granting of permission for them to continue to remain in this country while serving under temporary appointments with us very definitely would be in the best interests of our organization and of these veterinarians. It is believed that a better appreciation of what the loss of these five veterinarians would mean to us can be gained from the fact that this represents approximately the same number of veterinarians that we were able to obtain for meat inspection work through positive recruitment efforts from among all the graduating classes of veterinary schools in the United States in 1953 which totaled more than 800 members.

We are deeply appreciative of your fine cooperation in our past problems in regard to these Filipino veterinarians, and we are confident that our current plan that they be allowed to remain in this country for continued employment by us on a temporary basis will receive your most careful and thoughtful consideration. If we can furnish further helpful information in connection with this matter, please do not hesitate to let us know.

Very truly yours,

A. R. MILLER,
Chief, Meat Inspection Branch.

STATEMENT TO ACCOMPANY FORM I–129 SUBMITTED IN BEHALF OF DR. JULIAN S. LIZARDO

It is necessary to utilize the services of trained veterinarians in carrying out the functions of the Bureau of Animal Industry involving livestock disease control and eradication activities, scientific research, and investigative work in the field of livestock diseases, and Federal meat inspection work. Dr. Lizardo has been employed by this Bureau as a veterinarian on Federal meat inspection work

since November 30, 1951, having entered this country on a temporary visitor's visa for the purpose of accepting such employment. This particular activity involves the inspection for freedom from disease and for wholesomeness of meat and meat food products intended for consumption by the military and civilian populations of this country and associated nations. The purpose of Federal meat inspection is to safeguard the health of consumers of meat and meat food products. This is considered to be an important function and is definitely in the interest of the national welfare. The services of this veterinarian will continue to be substantially beneficial to the national welfare of the United States in that the maintenance of an adequate veterinary staff is essential to the conduct of Federal meat inspection in a manner designed to assure that meat and meat food products intended for human consumption are free from disease and are otherwise wholesome.

For more than 10 years we have been unable to recruit and retain a sufficient number of veterinarians to meet our minimum needs for that class of personnel. This is attributable to the general shortage of veterinarians in the United States to fulfill the demands for their services and the lucrativeness of income derived by veterinarians in private practice and other outside endeavors in comparison with Federal salaries. Some of the special efforts we have made to recruit veterinarians for our service are as follows:

(1) For years there has been a continuously open civil-service examination for veterinarians which requires no written test but merely an evaluation of the training of the applicants.

(2) We have utilized the resources of our approximately 300 field stations in conducting continuous efforts to obtain veterinarians for our work.

(3) Bureau veterinarians have been designated to serve as contact officials with the facilities and classes of all veterinary colleges in this country for the purpose of stimulating interest in our work on the part of the graduates and influencing them to enter our service upon graduation.

(4) For several years we have employed veterinary students during the summer months as a means of arousing greater interest in employment by the Bureau as graduate veterinarians.

(5) Pamphlets and literature have been prepared and distributed to all students attending veterinary colleges in this country in a further endeavor to arouse interest in Bureau work.

(6) Letters have been written to hundreds of veterinary practitioners throughout the United States in an attempt to recruit them for Bureau work.

Despite all of the above efforts, we have been unable to recruit enough veterinarians to compensate for our losses in such personnel through retirements, deaths, and other turnover. As of the present time, we have need for approximately 250 over and above the number currently on our rolls. Our situation has been and is so critical that we are now employing approximately 40 noncitizen veterinarians, mostly displaced persons whose knowledge of the English language is very limited. We have also gone to the extent of reemploying retired veterinarians who are over 70 years old and we now have something like 16 in this category—one of whom is 76 years old.

The seriousness of our problem with respect to the shortage of veterinarians to properly conduct the essential activities of the Bureau requiring their services is illustrated somewhat by the following figures on full-time employment of veterinarians by us as of the various dates given below:

July 1941	2,553	December 1951	1,451
October 1950	1,517	December 1952	1,378

This constant decline in the number of veterinarians available to us has necessitated the making of every effort on our part to utilize with maximum effectiveness the services of those in our employ. Laymen currently are being used on many jobs which really should be filled by veterinarians. In other words, the services of our veterinary personnel have been spread as thinly as it is possible to do consistent with the effective and proper conduct of our technical work programs.

Evidence of the receipt of a degree in veterinary medicine on the part of the beneficiary is attached to this petition. In addition to that, the beneficiary has had considerable experience in the veterinary profession since graduation, including the employment as a veterinary meat inspector in this Bureau mentioned earlier. We might add that it now requires 6 years of college study to receive a degree in veterinary medicine here in the United States—2 years of college work in preveterinary subjects and 4 years in the regular veterinary medicine curriculum.

It is noted that the instructions printed on form I–129 specify that a clearance order from the United States Employment Service bearing a statement that

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qualified persons are not available within the United States to perform the services involved should accompany the petition in a case of this kind. In a discussion of this aspect of the matter with an official of the Department of Labor here in Washington, D. C., we are informed that an understanding has been reached between that Department and the Immigration and Naturalization Service within the past few days to the effect that the Department of Labor will issue a list of occupations for which there is a national shortage of personnel and that individual clearance orders will not be required for the occupations on such list. We are further informed that the position of veterinarian is scheduled to appear on that list. Under these circumstances, we sincerely trust that our petition may receive favorable consideration in the absence of a specific clearance order from the United States Employment Service.

W. A. DEVAUGHAN,
Personnel Officer, Bureau of Animal Industry, United States Department of Agriculture.

WASHINGTON 25, D. C., *March 19, 1953.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4039), as amended, should be enacted.

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